

## **TITLE 11**

### **BUILDINGS AND CONSTRUCTION**

#### **Chapters:**

- 11.04 Definitions
- 11.08 Fire Districts
- 11.12 Building Permit and Insurance
- 11.16 Building Code
- 11.20 Electrical Code
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#### **CHAPTER 11.04**

#### **DEFINITIONS**

#### **Sections:**

- 11.04.01 Definitions

#### **11.04.01 Definitions**

**Municipality** Whenever the word is used in the Arkansas State Mechanical Code or any of the codes adopted by reference in this chapter, it shall be held to mean the city of Crossett, Arkansas.

**Administrative authority** Whenever the term is used in the Arkansas State Mechanical Code or any of the codes adopted by reference in this chapter it shall mean the Building Official of the city of Crossett, Arkansas. (Ord. No. A-543, Sec. 1, May 17, 1993.)

## **CHAPTER 11.08**

### **FIRE DISTRICTS**

#### **Sections:**

11.08.01 Fire districts

#### **11.08.01 Fire districts**

- A. There is hereby adopted the map of the city on file in the office of the City Clerk/Treasurer, which map shall be known and referred to as the fire district map, and all areas shown thereon in red shall be and are hereby established and known as Fire District No. 1, and all areas shown thereon in blue shall be and are hereby established and known as Fire District No. 2.
- B. All areas of actual construction where any building or structure, other than residential construction, where 50 or more persons may gather at any one time and any building, regardless of where situated, devoted primarily to a commercial or industrial use unless lying within the limits of Fire District No. 1 shall also be deemed to be and shall be a part of Fire District No. 2. (Ord. No. A-197, Secs. 2-3, Sept 18, 1961.)

## **CHAPTER 11.12**

### **BUILDING PERMIT AND INSURANCE**

#### **Sections:**

- 11.12.01 Building permit
- 11.12.02 Bond
- 11.12.03 Insurance
- 11.12.04 Board of Adjustment and Appeals
- 11.12.05 Conditions of permit
- 11.12.06 Occupancy permit
- 11.12.07 Special historical renovation permit
- 11.12.08 Revocation

11.12.01 Building permit No person, whether owner or contractor, shall engage in or perform any type of work defined in 11.12.02 without first having filed a plan in advance with the Building Official setting forth the details of the proposed work and obtained a permit for the proposed work from the Building Official. (Ord. No. A-273, Sec. 1, Nov. 21, 1966.)

11.12.02 Bond No person shall engage in any business or activity relative to the grading, draining, clearing or development of land or the construction, repairs or installations of improvements upon real estate or the hauling or moving of dirt, sand, gravel, logs, stumps, waste materials or other materials for hire within the city, except in areas exempted from application of building regulations under other provisions of this code, unless such person shall have first filed approved contractors bond with the City Building Official as required by this section.

In addition to other penalties, any person who shall engage in any activity in 11.12.02 without filing of the bond shall be liable to the city and to any property owner for any damage caused by or resulting from such activity to be recovered in an action at law by the aggrieved party. (Ord. No. A 232, Secs. 1-2, June 15, 1964.)

11.12.03 Insurance All contractors or subcontractors performing any work for the city or any agency or commission organized and existing under the city shall, prior to awarding a contract to the successful bidder in which the contract price is Ten Thousand Dollars (\$10,000.00) or more, be required to have in force and effect a public liability insurance policy with an insurance company authorized to do business in the state in the minimum amount of \$1,000,000.00/\$3,000,000.00/\$3,000,000.00 and shall be required to certify in writing to the City Clerk/Treasurer that the insurance coverage is currently in force and effect and will be during the term of the construction, and upon request of the Mayor or City Clerk/Treasurer, shall be required to produce the insurance policy for inspection. (Ord. No. A-358, Sec. 1, Feb. 18, 1974.)

11.12.04 Board of adjustment and appeals All appeals from decisions of the Building Official, except those regarding house moving, shall be made to, and shall be in accordance with the procedure established for the Board of Adjustments and Appeals and such Board shall exercise all of its functions in respect to this chapter the same as it shall be authorized to do with respect to the Building Code. (Ord. No. A-174, Sec. 12-13, Feb. 15, 1960.)

11.12.05 Conditions of permit

A. When required

1. It shall be unlawful to construct, alter, repair, remove or demolish, or to commence the construction, alteration, removal or demolition of a building or structure without first filing with the Building Official an application in writing and obtaining a formal permit.
2. The issuing of a formal permit shall not be required provided that interior repairs, alterations, painting, papering, sanding, varnishing, finishing,

constructions of closets, cabinets, installation of appliances, removing of partitions, placing of partitions, flooring, placing of tile, general repair or improvements and other work which is performed solely within the interior walls of a single or two-family dwelling, the reflooring of porches or the screening of same with screen wire, and which work does not extend, enlarge or change the outside walls, lines, foundation, or contour of the building.

3. This section shall not be construed as applying to new construction or the enclosing of porches with any material other than screen wire nor shall it be construed as changing, amending or modifying the use of any building which is not in conformity with the district use regulations applicable thereto.

B. Form

1. An application for a permit shall be submitted in such form as the Building Official may prescribe.
2. Such application shall be made by the owner or lessee, or agent of either, or architect, engineer, or builder employed in connection with the proposed work. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee, or the person making the application that the proposed work is authorized by the owner in fee and that the person making the application is authorized to make such application.
3. Such application shall contain the full names and addresses of the applicant and of the owner, and, if the owner is a corporate body, of its responsible officers.
4. Such application shall describe briefly the proposed work and shall give such additional information as may be required by the Building Official for an intelligent understanding of the proposed work.

C. Plans Application for permits shall be accompanied by such drawings of the proposed work, drawn to scale, including such floor plans, sections, elevations and structural details, as the Building Official may require.

D. Plot diagram There shall also be filed a plot diagram in a form and size suitable for filing permanently with the permit record, drawn to scale, with all dimensions figured, showing accurately the size and exact location of all proposed new construction, or, in the case of demolition, of such construction as is to be demolished, and of all existing buildings and structures that are to remain.

- E. Amendments Nothing in this division shall prohibit the filing of amendments to an application or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was sought. Such amendments, after approval, shall be filed with and be deemed a part of the original application.
- F. Action on application It shall be the duty of the Building Official to examine applications for permits, within a reasonable time after filing. If, after examination, he finds no objection to the same and it appears that the proposed work will be in compliance with the laws and ordinances applicable thereto, he shall approve such application and issue a permit for the proposed work as soon as practicable. If this examination reveals otherwise, he will reject such application, noting his finding in a report to be attached to the application and delivering a copy of the applicant.
- G. Approval in part Nothing in this division shall be construed to prevent the Building Official from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of the building or structure have been submitted or approved, if adequate plans and detailed statements have been presented for the same and have been found to comply with this chapter.
- H. Conditions of permit
1. All work performed under a permit issued by the Building official shall conform to the approved application and plans, and approved amendments thereof.
  2. The location of all new construction as shown on the approved plot diagram, site plan, or an approved amendment thereof, shall be strictly adhered to.
  3. It shall be unlawful to reduce or diminish the area of a lot or plot of which a plot diagram has been filed and has been used as the basis for a permit, unless a revised plot diagram showing the proposed change in conditions shall have been filed and approved; provided that this shall not apply when the lot is reduced by reason of a street opening or widening or other public improvement.
- I. Signature to permit Every permit issued by the Building Official under the provisions of this chapter shall have his signature affixed thereto, but this shall not prevent him from authorizing a subordinate to affix such signature.
- J. Limitation A permit under which no work is commenced within one year after issuance shall expire by limitation.

K. Posting of permit

1. A copy of the permit shall be kept on the premises open to public inspection during the prosecution of the work and until the completion of the same.
2. The Building Official may require a certified copy of the approved plans to be kept on the premises at all times from the commencement of the work to the completion thereof.
3. The Building Official shall be given at least 12 hours' notice of the starting of work under a permit. (Ord. No. A-445, Sec. 1, Aug. 15, 1983.)

11.12.06 Occupancy permit

- A. Certificates for occupancy and compliance shall be applied for coincidentally with the application for a building permit, and shall be issued within ten days after the lawful erection or alteration of the building is completed. A record of all certificates shall be kept on file in the office of the Building Official and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected.
- B. No permit for the erection or alteration of any building shall be issued before the application has been made for certificate of occupancy and compliance, and no building or premises shall be occupied until that certificate and permit is issued. (Ord. No. A-445, Sec. 1, Aug. 15, 1983.)

11.12.07 Special Historical Renovation Permit

- A. The Planning Commission may, by special use permit, subject to the restrictions stated in this section and those restrictions deemed appropriate for the protection of adjacent property and the general welfare, authorize the use and occupancy of historical houses in any district from which they are prohibited by the provisions of this chapter.
- B. A historical house is defined as any house located in Crossett, substantially its original condition, constructed prior to 1920 and which is unique due to its size and architectural style.
- C. Before issuing a special use permit, the Planning Commission shall conduct a public hearing and afford all interested parties an opportunity to be heard on the proposed issuance of the special use permit. Prior to conducting the public hearing, the Planning Commission shall post a sign on the affected property for a

period of 15 days, giving notice of the time, date and place of the public hearing. Additionally, notice of the time, date and place of the public hearing shall be published at least one time in a newspaper having general circulation in the city. The published notice shall be at least 15 days prior to the date of the hearing.

- D. In determining whether to issue a special use permit, the Planning Commission shall consider the proposed use of the house, the availability of adjacent or nearby parking, traffic congestion, the beneficial or detrimental effect that the use would have on the neighborhood, the physical condition of the house prior to restoration and the physical condition of the house after restoration, and other factors that the Planning Commission deems appropriate in determining the best interest of the adjacent property owners and the general welfare of the neighborhood.
- E. Before conducting a public hearing on issuance of a proposed special use permit, the Planning Commission shall require the owner, or the owner's agent, to make written application to the Planning Commission for issuance of the special use permit. The application shall state, in detail, the proposed uses for the house and the manner in which the house will be restored. The house shall not be used for any purpose other than those stated on the application and as set forth in subsection F of this section.
- F. The Planning Commission, by issuance of the special use permit, may permit the use of a historical house for other than single-family purposes but such use shall be restricted to the following uses:
  - 1. Antique shop
  - 2. Art gallery
  - 3. Bed and breakfast lodging facilities
  - 4. Bridal shop or bridal receptions
  - 5. Photography studio
  - 6. Receptions for individuals, religious groups and school groups
  - 7. Weddings and wedding receptions
- G. The purpose of this section is to encourage the preservation and restoration of historical houses in Crossett and to provide for use of those historical houses for other than single-family dwellings.
- H. Appeal procedure
  - 1. Any person aggrieved by the action of the Planning Commission in granting or refusing to grant a special use permit may appeal the decision to the City Council. Appeals shall be taken within 15 days of the date of action by the Planning Commission by filing in the office of the City

Clerk/Treasurer written notice of the appeal and specifying the basis of the appeal. The City Clerk/Treasurer shall immediately notify the Mayor of the appeal and request the Mayor to set the matter for hearing before the City Council.

2. An appeal stays all proceedings in furtherance of the action from which the appeal is taken until the matter has been heard by the City Council.
3. The Mayor and City Council shall fix a reasonable time for hearing of the appeal and give not less than seven day's public notice of the hearing time and date. Notice shall be posted in a conspicuous place on the property affected by the appeal and by publication one time in a local newspaper of general circulation in the city.
4. On appeal, the City Council may reverse or affirm, wholly or partly, or may modify the decision appealed from and may make such decision, requirement or determination as it deems in the best interest of the parties and the public.
5. At the hearing by the City Council, any party may appear in person, by agent or by attorney. Parties to the appeal will be entitled to present evidence for consideration by the City Council and any member of the public will be afforded an opportunity to be heard. (Ord. No. A-469, Sec. 1, June 23, 1986; Ord. No. 2003-5, Sec. 14, Feb. 17, 2003.)

11.12.08 Revocation The Building Official may revoke a permit or approval issued under the provisions of this chapter in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based. (Ord. No. A-445, Sec. 1, Aug. 15, 1983.)

## **CHAPTER 11.16**

### **BUILDING CODE**

Sections:

- |          |                   |
|----------|-------------------|
| 11.16.01 | Adopted           |
| 11.16.02 | Building Official |
| 11.16.03 | Qualifications    |
| 11.16.04 | Duties            |



11.16.01 Adopted There is hereby adopted, for the purposes of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain Building Code known as the *Arkansas Fire Prevention Code (2002 Edition)*, Volumes II and III, with all appendices adopted by the state of Arkansas. Not less than two copies of this code are on file in the office of the Crossett Building Official. The same is hereby adopted and incorporated by reference as fully as if set out word for word herein, and the provisions thereof shall be controlling in the construction of all buildings and structures within the corporate limits of the city. (Ord. No. 2003-2, Sec. 1, Feb. 20, 2003.)

11.16.02 Building Official

- A. The office of the Crossett Building Official is hereby created and the person in charge shall be known as the Crossett Building Official.
- B. The Crossett Building Official shall be appointed by the Mayor. He or she shall serve at the pleasure of the Mayor, and shall be terminable at the will of the Mayor, with or without cause.
- C. During the temporary absence or disability of the Crossett Building Official, or in the event of a vacancy in the office of the Crossett Building Official, the Mayor shall designate an acting Building Official.
- D. The Mayor shall be the immediate superior officer of the Crossett Building Official. The Mayor shall have all disciplinary authority and supervisory control over all actions of the Crossett Building Official. In the even the Mayor, in his sole discretion, deems any activity of the Crossett Building Official to be in violation of the employee personnel policies of the city, he shall determine the penalty and disciplinary action to be imposed (Ord. No. A-637, Sec. 1, Jan. 18, 1999.)

11.16.03 Qualifications To be eligible to appointment, the candidate for the position of Building Official shall be qualified for employment as City Engineer under the qualifications for such office as they now exist or may hereafter be adopted, except such qualifications may be waived in case of temporary appointment. (Ord. No. A-173, Sec. 3, Feb. 15, 1960.)

11.16.04 Duties

- A. The Building Official shall devote such time as shall be necessary to perform the duties of the office of Building Official. He shall receive applications required by the Building Code, issue permits and furnish the prescribed certificates. He shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the Building

Code. He shall, when requested by proper authority or when the public interest so requires, make investigations in connection with matters referred to in the Building Code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.

- B. Inspections required under the provisions of the Building Code shall be made by the Building Official or his duly appointed assistant. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the Building Code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.
- C. The Building Official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure, or premises at any reasonable hour.
- D. The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued of inspections made, or reports rendered, and of notices or orders issued. He shall retain on file copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence. All such records shall be open to public inspection for good and sufficient reasons at the stated office hours but shall not be removed from the office of the Building Official without his written consent.
- E. The Building Official shall make written reports to his immediate superior once each month, or oftener if requested, including statements of permits and certificates issued, and orders promulgated. (Ord. No. A-173, Secs. 4-6, Feb. 15, 1960.)

**CHAPTER 11.20**

**ELECTRICAL CODE**

**Sections:**

- 11.20.01      Adopted
- 11.20.02      Permit required
- 11.20.03      Fees
- 11.20.04      Special requirements

11.20.01 Adopted *The National Electrical Code (2005 Edition)*, including Annex G, is adopted for the purpose of establishing rules and regulations for all construction, installation, alteration, removal, equipping, use, location and maintenance of electrical wiring, fixtures and equipment within the corporate limits of the city, including permits and penalties. Two copies shall be maintained in the office of the Crossett Building Official. *The National Electric Code (2005 Edition)*, including Annex G, is incorporated by reference, as if set out word for word herein, and the provisions thereof shall be controlling in the installation, maintenance and operation of all electrical wiring, fixtures and equipment within the corporate limits of the city.

11.20.02 Permit required Before beginning any electrical work in the city, the person doing the work shall apply to the Building Official or other designated person and obtain a permit to do such work. A permit may be issued to a property owner or to a licensed master electrician to do electrical work. A permit may be issued to a private property owner to do electrical work in a single-family residence, provided the property owner does the work himself and the building is owned and occupied by such owner as his home. All other electrical work must be performed by, or under the direct supervision of, a licensed master electrician. (Ord. No. A-542, Sec. 2, May 17, 1993.)

11.20.03 Fees

A. No permit as required by the Electrical Code in this section shall be issued until the fee prescribed in this article has been paid, except where a fee for permit shall have been paid under provisions of the City Building Code. No amendment to a permit shall be approved until the additional fee, if any, due to an increase in the estimated cost of the installation has been paid.

B. For a permit fee for either installation or removal in a building or structure, the fee shall be as follows:

<b>Valuation</b>	<b>Fee</b>
\$1,000.00 and less	\$15.00 for each inspection
Over \$1,000.00	\$15.00 for each inspection plus \$5.00 for each additional thousand or fraction thereof

C. The term "estimated cost" as used in this section means the reasonable value of all service, labor, materials and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for installation; provided, that the cost of excavation or grading, and of painting,

decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure is not deemed a part of such estimated cost. (Code 1962, Sec. 8-8; Ord. No. A-596, Sec. 1, April 15, 1996; Ord. No. A-644, Sec. 2, Mar. 15, 1999.)

11.20.04 Special requirements On or before May 1, 2005, all commercial and industrial buildings within the corporate limits of the city of Crossett, Arkansas, must have an outside main disconnect switch, fuse, breaker, shunt switch, or other means by which electrical main power may be disconnected, all as approved in writing by the Crossett Building Official.

## **CHAPTER 11.24**

### **PLUMBING CODE**

#### **Sections:**

- 11.24.01 Definitions
- 11.24.02 Adopted
- 11.24.03 Permit required
- 11.24.04 Permit application; fees
- 11.24.05 Bond

#### **11.24.01 Definitions**

##### **Plumbing** means:

- A. All piping, fixtures, appliances and appurtenances in connection with the water supply and drainage systems within a building and to a point from three to five feet outside of the building.
- B. The construction and connection of any drain or waste pipe carrying domestic sewage from a point within three to five feet outside of the foundation walls of any building with the sewer service lateral or other disposal terminal, including private domestic sewage treatment and disposal systems and the alteration of any such system, drain or waste pipe, except minor repairs to faucets, valves, pipes, appliances and removing of stoppages.
- C. The water service piping from a point within three to five feet outside of the foundation walls of any building to the water meter or other water utility property

or other terminal and the connecting of domestic hot water storage tanks, water softeners, and water heaters with the water supply system.

- D. Water pressure systems other than public utility systems.
- E. A plumbing and drainage system so designed and vent piping so installed, as to keep the air within the system in free circulation and movement, and to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building. (Ord. No. A-118, Sec. 1, Feb. 15, 1954.)

11.24.02 Adopted *The Arkansas State Plumbing Code (2003 Edition)* with all appendices, is adopted for the purpose of regulating the installation and maintenance of all plumbing within the corporate limits of the city, including permits and penalties. Two copies shall be maintained in the office of the Crossett Building Official. *The Arkansas State Plumbing Code (2003 Edition)* with all appendices, is incorporated by reference, as if set forth word for word herein, and the provisions thereof shall control all plumbing installed, altered or repaired within the corporate limits of the city. (Ord. No. 01-3, Sec. 1, Jan. 17, 2001)

11.24.03 Permit required Before beginning any plumbing work in the city, the person installing same shall apply to the Building Official or other designated official and obtain a permit to do such work. Only those persons authorized to do plumbing may be issued permits. A permit may be issued to a property owner, or his duly authorized agent, to install plumbing in a single-family residence provided the property owner does the work himself and the building is owned and occupied by such owner as his home. (Ord. No. A-118, Sec. 4, Feb. 15, 1954.)

11.24.04 Permit application; fees

- A. Application for permits shall be made on suitable forms provided by the Building Official. The application shall be accompanied by fees as follows:

<b>Valuation</b>	<b>Fee</b>
\$1,000.00 and less	\$15.00 for each inspection
Over \$1,000.00	\$15.00 for each inspection plus \$5.00 for each additional thousand or fraction thereof.

- B. An additional fee of Five Dollars (\$5.00) shall be charged for each additional trip on the part of the Building Official caused by the negligence of the plumber.

- C. No fee for the issuance of a permit under this section shall be required where a fee for a building permit which includes plumbing has been paid; it being intended that the payment of the required fees for a construction permit under the city Building Code shall be the only fees charged except where a permit is requested for plumbing only. (Ord. No. A-645, Sec. 2, Mar. 15, 1999.)

11.24.05 Bond Every master plumber doing business in the city shall execute and deliver to the city a bond with a surety bonding company in the sum of One Thousand Dollars (\$1,000.00) to indemnify the city or any citizen for any damage caused by the failure of such master plumber to comply strictly with the provisions of this article. Such bond shall be approved by the Mayor with the advice of the City Attorney. No plumbing permit shall be issued to any master plumber unless this bond has been delivered to the city and in full force and effect. (Ord. No. A-118, Sec. 5, Feb 15, 1954.)

## **CHAPTER 11.28**

### **GAS CODE**

Sections:

- 11.28.01 Scope
- 11.28.02 Adoption
- 11.28.03 Fees
- 11.28.04 Tampering with public property

11.28.01 Scope

- A. No natural, artificial or manufactured gas installation, equipment, appliance or other facility of any kind whatsoever shall be installed, placed in operation, used, or otherwise used in the city, unless and until same shall have been inspected and a permit issued therefore, upon full compliance with all provisions of the gas code adopted in this article and such other codes as may hereafter be adopted by the city applicable to such installation or use and no such installation or use shall be made until permit therefore shall have been issued by the Building Official and no such permit shall be issued by the Building Official until there shall have been full compliance with all provisions of the gas code applicable thereto.
- B. If, within any period of 12 months, alterations or repairs costing in excess of 50% of the then physical value of the building are made to an existing building, such building shall be made to conform to the requirements of this article for new installation.

- C. If any existing building is damaged by fire or otherwise in excess of 50% of its then physical value before such damage is repaired, it shall be made to conform to the requirements of this article for new installations.
- D. If the cost of such alterations or repairs, or the amount of such damage, is more than 25 but not more than 50% of the then physical value of the building, the portions to be altered or repaired shall be made to conform to the requirements of this article for new installations to such extent as the Building Official may determine.
- E. For the purpose of this section physical value of the building shall be determined by the Building Official.
- F. Repairs and alterations, not covered by the preceding subsections of this section, restoring a building to its condition previous to damage or deterioration, or altering it in conformity with the provisions of this article or in such manner as will not extend or increase an existing non-conformity or hazard, may be made with the same kind of materials as those of which the building is constructed, and in such cases no permit shall be required. (Ord. No. A-175, Sec. 6, Feb. 15, 1960; Ord. No. A-189, Sec. 1, Mar 20, 1961.)

11.28.02 Adoption The *Arkansas Gas Code* (1995 Edition) is adopted for the purpose of establishing rules and regulations for the installation, construction, alteration, removal, or use of natural and manufactured gas fixtures and equipment, and the use of gas for light, heat, power, cooking and for other purposes, including permits and penalties. Two copies shall be maintained in the office of the Crossett Building Official. The *Arkansas Gas Code* (1995 Edition) is incorporated by reference as if set forth word for word herein, and the provisions thereof shall be controlling in the installation, maintenance and operation of gas fixtures and equipment within the corporate limits of the city. (Ord. No. 01-4, Sec. 1, Jan. 17, 2001.)

11.28.03 Fees

- A. No permit as required by the Gas Code adopted in this article shall be issued until the fee prescribed in this article has been paid, except where a fee for permit shall have been paid under provisions of the city Building Code. No amendment to a permit shall be approved until the additional fee, if any, due to an increase in the estimated cost of the installation has been paid.
- B. For a permit fee for either installation or removal in a building or structure, the fee shall be as follows:

<b>Valuation</b>	<b>Fee</b>
\$1,000.00 and less	\$15.00 for each inspection
Over \$1,000.00	\$15.00 for each inspection plus \$5.00 for each additional thousand or fraction thereof

- C. For a permit fee for a removal of a gas installation, the rate schedule in section B above shall be applied.
- D. The term "estimated cost" as used in this section means the reasonable value of all service, labor, materials and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for installation; provided, that the cost of excavation or grading, and of painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure is not deemed a part of such estimated cost.
- E. No fee for issuance of a permit required by the Gas Code adopted in this article shall be required where the gas installation, or removal of gas installation, is to be made in, or removed from, a building use, or to be used, exclusively as a house of public worship, or church, or solely to house a Masonic Lodge and its related orders, or for public school purposes. (Ord. No. A-646, Sec. 2, April 19, 1999.)

11.28.04 Tampering with public property It shall be unlawful for any person to tap, break, injure or molest any gas pipes, lines, meters, regulators or any other appliance or connections belonging to any public utility company, or for any person to interfere with the operation of the gas system, and any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor. (Code 1941, Sec. 213.)

## **CHAPTER 11.32**

### **MECHANICAL CODE**

Sections:

11.32.01 Adoption

11.32.01 Adoption The *Arkansas State Mechanical Code (2003 Edition)* with all appendices, is adopted for the purpose of establishing rules and regulations for the installation,



alteration, removal, equipping, use, location and maintenance of mechanical equipment and devices, including permits and penalties. Two copies shall be maintained in the office of the Crossett Building Official. The *Arkansas State Mechanical Code (2003 Edition)* with all appendices, is incorporated by reference as if set forth word for word herein, and the provisions thereof shall be controlling in the installation, maintenance, equipping, and operation of mechanical devices and equipment within the corporate limits of the city.

## **CHAPTER 11.36**

### **HOUSING CODE**

#### **Sections:**

11.36.01      Adopted

11.36.01 Adopted The *2000 International Residential Code* is adopted for the purpose of establishing rules and regulations for the use, maintenance and occupancy of all dwellings, dwelling units and/or structures within the corporate limits of the city, including permits and penalties. Two copies shall be maintained in the office of the Crossett Building Official. The *2000 International Residential Code* is incorporated by reference as if set forth word for word herein, and the provisions thereof shall be controlling in the use, maintenance and occupancy of all dwellings, dwelling units, and/or structures within the corporate limits of the city. (Ord. No. 01-6, Sec. 1, Jan. 17, 2001.)

## **CHAPTER 11.40**

### **HOUSE MOVING**

#### **Sections:**

11.40.01      Permit required  
11.40.02      Application; bond  
11.40.03      Permit; fee  
11.40.04      Route  
11.40.05      Equipment; inspection

- 11.40.06 Appeals
- 11.40.07 Moving substandard houses

11.40.01 Permit required It shall be unlawful for any person to move, cause to be moved, or attempt to move any house or building of any type, character or construction from place to place or from one location to another within the city limits, in the moving of which the house or building is transported or moved along or across any part or portion of any public street or alley, without first obtaining a permit therefore from the city. (Ord. No. A-85, Sec. 2, May 19, 1952.)

11.40.02 Application; bond All applicants for permits under this article shall make written application to the Building Official stating the owner of the building to be moved, the description of the building, the present and new location, and such other information as may be required by the Building Official. Each application shall be accompanied by a surety bond in the sum of Two Thousand Dollars (\$2,000.00) running to the city and conditioned that the applicant shall repair any and all damage to public and private property occasioned by the moving. The bond shall be made by a surety company authorized to do business in the state. Actions against the bond for injury to private property may be brought in the name of the city for the use and benefit of the aggrieved person. (Ord. No. A-85, Sec. 3, May 19, 1952.)

11.40.03 Permit; fee The permit issued for the moving of a house or building shall be in writing and in the form prescribed by the Building Official. A permit fee of Twenty-Five Dollars (\$25.00) shall be charged and collected with each application for a permit to cover the cost of issuing permits, making inspections, and the performance of the other duties required hereunder. The permit fee shall be paid to the City Clerk/Treasurer for credit to the street fund. (Ord. No. A-85, Sec. 5, May 19, 1952.)

11.40.04 Route The Building Official shall have the exclusive authority to issue moving permits as provided in this article, and the authority to designate the streets over which a house or building shall be moved, but in designating the route he shall designate the shortest route consistent with the public safety and convenience and the protection of public property. (Ord. No. A-85, Sec. 2, May 19, 1952.)

11.40.05 Equipment ; inspection No permit shall be issued for the moving of any house or building unless the equipment used in transporting the house or building is equipped with rubber or pneumatic tires, and unless the equipment is in a safe condition and adequate to effect the moving with a minimum hazard to the public and public property. The Building Official shall have the authority and it shall be his duty to inspect and approve the moving equipment before issuing any permit. (Ord. No. A-85, Sec. 4, May 19, 1952.)

11.40.06 Appeals Any applicant for a permit under this article, or a permit holder, aggrieved by the action of the Building Official by the denial of a permit or by any rule or regulation prescribed by him shall have the right of appeal to the City Council. Such appeal shall be filed in writing with the Council within five days after the denial of the permit or other action

complained of. The appeal shall consist of a written statement setting forth fully the grounds for the appeal. The Council shall set a hearing for the next regular or special meeting and such hearing shall take precedence over all other, except emergency, business. (Ord. No. A-85, Sec. 7, May 19, 1952.)

11.40.07 Moving substandard houses

- A. It shall be unlawful for any person to move, or cause to be moved, any house or building into the corporate limits of the city that fails to comply with all applicable building codes then in effect in the city.
- B. No permit shall be issued by the Building Official until such time as satisfactory proof has been furnished to him that the house or building to be moved into the city complies with all of the aforementioned codes. (Ord. No. A-335, Sec. 1, Sept. 18, 1972.)

**CHAPTER 11.44**

**FIRE PREVENTION CODE**

Sections:

- 11.44.01 Adopted by reference
- 11.44.02 Enforcement

11.44.01 Adopted by reference There is hereby adopted, for the purpose of establishing rules and regulations governing conditions hazardous to life and property from fire or exposure:

Arkansas Fire Prevention Code (2012 Edition). Volumes I, II. and III, with all appendices adopted by the State of Arkansas.

Two copies of each code are filed in the office of the Crossett Building Official, and the same are hereby adopted and incorporated as fully as if set out word for word herein, and the provisions thereof shall be controlling within the corporate limits of the city. (Ord. No.2012-3, Sec. 1.)

11.44.02 Enforcement The code adopted in this article shall be enforced by the Chief of the Fire Department. (Ord. No. A-277, Sec. 2, May 15, 1967.)

## CHAPTER 11.48

### FAIR HOUSING

#### Sections:

11.48.01	Definitions
11.48.02	Policy
11.48.03	Unlawful practices
11.48.04	Discrimination
11.48.05	Enforcement

#### 11.48.01 Definitions

**Dwelling** means any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

**Family** includes a single individual.  
(Ord. No. A-466, Sec. 2, April 10, 1986.)

11.48.02 Policy It is the policy of the city to provide, within constitutional limits, for fair housing throughout the city. (Ord. No. A-466, Sec. 1, April 10, 1986.)

#### 11.48.03 Unlawful practices

- A. Subject to the provisions of subsection B below, the prohibitions against discrimination in the sale or rental of housing shall apply to all dwellings.
- B. Nothing in 11.48.04 shall apply to any single-family dwelling sold or rented by an owner who does not own more than three such single-family houses at any one time. (Ord. No. A-466, Sec. 3, April 10, 1986.)

11.48.04 Discrimination It shall be unlawful to refuse to sell or rent, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, disability, sex or national origin. (Ord. No. A-466, Sec. 4, April 10, 1986.)

11.48.05 Enforcement The provisions of this article may be enforced by civil actions in state or federal courts of general jurisdiction by any person aggrieved by violation of the provisions of this article. (Ord. No. A-466, Sec. 5, April 10, 1986.)

## **CHAPTER 11.52**

### **PROPERTY MAINTENANCE CODE**

#### **Sections:**

#### 11.52.01 Adoption

**11.52.01 Adoption** The *2003 International Property Maintenance Code* is adopted for the purpose of establishing rules and regulations for the use, maintenance and occupancy of all dwellings, dwelling units and/or structures within the corporate limits of the city, including permits and penalties. Two copies shall be maintained in the office of the Crossett Building Official. The *2003 International Property Maintenance Code* is incorporated by reference as if set forth word for word herein, and the provisions thereof shall be controlling in the use, maintenance and occupancy of all dwellings, dwelling units, and/or structures within the corporate limits of the city.

## **CHAPTER 11.56**

### **NEW CONSTRUCTION OR REMODELING**

#### **Sections:**

#### 11.56.01 Approval by Building Official

#### 11.56.02 Minimum specifications

**11.56.01 Approval by Building Official** Prior to the commencement of any construction or substantial remodeling of any of the following classes of buildings, or before a change in occupancy in one of the following classes of buildings is made, plans and specifications must be submitted to the Crossett Building Official, and approved, in writing:

- A. Nursing homes, hospitals, and convalescent homes, regardless of capacity.
- B. Schools or other educational institutions having a capacity in excess of fifty (50) individuals, and residential buildings, including dormitories, having sleeping accommodations for fifty (50) or more people.
- C. Auditoriums, theaters, indoor stadiums, gymnasiums, churches, or other places of assembly having a capacity in excess of one hundred (100) people.

11.56.02 Minimum specifications The plans and specifications must contain, at a minimum:

- A. An architect's or engineer's stamp and signature on the front page of each plan is required. The architect or engineer must be licensed and registered by the state of Arkansas.
- B. The plans or blueprints must contain the following information:
  - 1. Occupancy classification and occupancy load;
  - 2. Construction type;
  - 3. Allowable height and building area per floor;
  - 4. Floor area as follows:
    - a. Gross floor area for each floor of all buildings;
    - b. Net floor area for the following occupancies:
      - (1) Assembly occupancies;
      - (2) Bowling alley;
      - (3) Restaurant;
      - (4) All educational occupancies (including uses above the 12<sup>th</sup> grade); and
      - (5) Library reading rooms.
    - c. Separation distance for each exterior wall to assume common property lines.
- C. In accordance with A.C.A. 12-80-101 – 107 (2003 Repl.), the structural plans of each public building and structure shall bear the following:
  - 1. Licensed Arkansas engineer's seal and signature;
  - 2. A statement of reference as to which seismic zone the structure is designed for, pursuant to A.C.A. 12-80-103 (2003 Repl.);
- D. A plans and specifications review for each submitted set of plans will be performed at a fee ranging from Two Hundred Dollars (\$200.00) to Four Hundred Dollars (\$400.00), per set of plans.