



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, November 3, 2015

5:30 PM

Municipal Center

PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

Council Chambers, Municipal Chambers

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

4. SPECIAL PRESENTATIONS

[COM-15:061](#) Long term plan presentation from MPO Director Erica Tait

Sponsors: MPO

5. CONSENT AGENDA

All items listed below will be voted on in one motion unless a council member requests a separate action on one or more items.

[MIN-15:098](#) Minutes for the City Council meeting on October 20, 2015

Attachments: [Minutes](#)

[RES-15:060](#) A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A DEPUTY CITY CLERK POSITION TO THE CITY CLERK'S OFFICE

Sponsors: City Clerk

Attachments: [Job Description](#)
[Supplemental Position Information](#)
[Position information for last year](#)

Legislative History

5/12/15	Finance & Administration Council Committee	Postponed Indefinitely
7/28/15	Finance & Administration Council Committee	Postponed Temporarily
10/27/15	Finance & Administration Council Committee	Recommended to Council

RES-15:151 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH VECTOR DISEASE CONTROL INTERNATIONAL, LLC

Sponsors: Mayor's Office

Attachments: [Jonesboro Vector contract 2012-2018](#)

Legislative History

10/20/15 Public Safety Council Recommended to Council
Committee

RES-15:157 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY AND ADMINISTRATION POLICY

Sponsors: Human Resources

Legislative History

10/27/15 Finance & Administration Recommended to Council
Council Committee

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-15:058 AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES CHAPTER 2 ARTICLE 3, ENTITLED CITY COUNCIL; ESTABLISHING CITY COUNCIL RULES AND PROCEDURES FOR 2016; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

Sponsors: City Council

Attachments: [Exhibit A](#)

EMERGENCY CLAUSE

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-15:056 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL TO I-1 INDUSTRIAL FOR PROPERTY LOCATED AT 2401 DAN AVE. AS REQUESTED BY CITY WATER & LIGHT AND THE CITY OF JONESBORO, ARKANSAS.

Attachments: [TRACT A PLAT](#)

[TRACT B PLAT](#)

[Site Building Schematic Drawings](#)

[MAPC Report](#)

Legislative History

10/20/15 City Council Placed on second reading

ITEMS THAT HAVE BEEN HELD IN COUNCIL

ORD-15:028 AN ORDINANCE ADOPTING BY REFERENCE THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE TO THE JONESBORO CODE OF ORDINANCES WITH RESPECT TO MULTI-FAMILY HOUSING IN THE CITY OF JONESBORO

Sponsors: Inspections

Attachments: [Mayor's Statement from June 16, 2015](#)

[Letters of Opposition](#)

[Letters of Support](#)

[Exterior Maintenance - Landlord's Association](#)

Legislative History

5/19/15	Public Safety Council Committee	Recommended to Council
6/2/15	City Council	Held at one reading
6/16/15	City Council	Postponed Temporarily
10/5/15	City Council	Postponed Temporarily

8. MAYOR'S REPORTS

9. CITY COUNCIL REPORTS

10. PUBLIC COMMENTS

Public Comments are limited to 5 minutes per person for a total of 15 minutes.

11. ADJOURNMENT



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: COM-15:061 **Version:** 1 **Name:** Presentation by MPO Director Erica Tait
Type: Other Communications **Status:** To Be Introduced
File created: 9/29/2015 **In control:** City Council
On agenda: 11/3/2015 **Final action:**
Title: Long term plan presentation from MPO Director Erica Tait
Sponsors: MPO
Indexes: Presentations
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Long term plan presentation from MPO Director Erica Tait



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-15:098 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 10/21/2015 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on October 20, 2015
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on October 20, 2015



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, October 20, 2015

5:30 PM

Municipal Center

PUBLIC SAFETY COMMITTEE MEETING AT 5:00 P.M.

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 8 - Darrel Dover; Ann Williams; Charles Frierson; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman and Todd Burton

Absent 4 - Chris Moore; John Street; Tim McCall and Rennell Woods

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Gibson, seconded by Councilwoman Ann Williams, to Approve the Consent Agenda. The motioned PASSED

Aye: 8 - Darrel Dover; Ann Williams; Charles Frierson; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman and Todd Burton

Absent: 4 - Chris Moore; John Street; Tim McCall and Rennell Woods

[MIN-15:093](#)

Minutes for the City Council meeting on October 5, 2015

Attachments: [Minutes](#)

This item was APPROVED on the consent agenda.

[RES-15:146](#)

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH GILLIS, INC. FOR THE CROWLEY'S RIDGE PARKWAY: CRAIGHEAD FOREST PARK TRAIL - PHASE I (JOB NO. 100821) - 2015:31

Sponsors: Grants, Parks & Recreation and Engineering

Attachments: [Bid Tab](#)
[Contract Documents 2015 31](#)

This item was **APPROVED** on the consent agenda.

Enactment No: R-EN-137-2015

RES-15:152

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING A SETTLEMENT ON THE JIMMY ASHLEY VS. CITY OF JONESBORO LAWSUIT

Sponsors: Mayor's Office

This item was **APPROVED** on the consent agenda.

Enactment No: R-EN-138-2015

RES-15:156

RESOLUTION TO MAKE APPOINTMENTS TO BOARDS AND COMMITTEES AS RECOMMENDED BY MAYOR PERRIN

Sponsors: Mayor's Office

This item was **APPROVED** on the consent agenda.

Enactment No: R-EN-139-2015

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-15:054

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2015 ANNUAL BUDGET FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY FOR THE OPERATIONAL CONTINUITY OF THE CITY OF JONESBORO, ARKANSAS

Sponsors: Police Department

Councilman Vance offered the ordinance for first reading by title only.

Councilman Dover asked if this position was already budgeted for. Mayor Perrin answered no, this is a new position for the community outreach and the citizens police academy. Police Chief Rick Elliott explained they are creating a new position called the community outreach position. The position will be the coordinator for the citizen's police academy as well as other community outreach programs. There is currently someone doing this, but is also assigned to the Criminal Investigation Division. That person will assume the full-time duties of community outreach.

Councilman Dover asked if this person is already on staff. Police Chief Elliott answered yes, this will just be an internal move. They would like to make the change as soon as possible.

Councilman Frierson motioned, seconded by Councilman Dover, to suspend the rules and waive the second and third readings. All voted aye.

After passage of the ordinance, Councilman Coleman motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Darrel Dover, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote.

Aye: 8 - Darrel Dover;Ann Williams;Charles Frierson;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman and Todd Burton

Absent: 4 - Chris Moore;John Street;Tim McCall and Rennell Woods

Enactment No: O-EN-045-2015

ORD-15:056

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL TO I-1 INDUSTRIAL FOR PROPERTY LOCATED AT 2401 DAN AVE. AS REQUESTED BY CITY WATER & LIGHT AND THE CITY OF JONESBORO, ARKANSAS.

Attachments: [TRACT A PLAT](#)
 [TRACT B PLAT](#)
 [Site Building Schematic Drawings](#)
 [MAPC Report](#)

Councilman Gibson offered the ordinance for first reading by title only.

Councilman Frierson abstained from discussion and voting due to being an attorney for City Water & Light.

A motion was made by Councilman Gene Vance, seconded by Councilman Charles Coleman, that this matter be Placed on second reading . The motion FAILED due to the lack of two-thirds of the City Council voting aye.

Aye: 7 - Darrel Dover;Ann Williams;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman and Todd Burton

Absent: 4 - Chris Moore;John Street;Tim McCall and Rennell Woods

Abstain: 1 - Charles Frierson

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-15:039

AN ORDINANCE TO AMEND THE STREET IMPROVEMENT DRAINAGE PROGRAM MANUAL AND CREATE ADDITIONAL STREET SPECIFICATIONS

Sponsors: Engineering

Attachments: [DI-6](#)
 [DI-7](#)

A motion was made by Councilman Darrel Dover, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED with the following vote.

Aye: 8 - Darrel Dover;Ann Williams;Charles Frierson;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman and Todd Burton

Absent: 4 - Chris Moore;John Street;Tim McCall and Rennell Woods

Enactment No: O-EN-046-2015

ORD-15:051

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE

MAYOR TO ENTER INTO AN AGREEMENT WITH RITTER COMMUNICATIONS TO RENEW OUR SERVICES AND PROVIDE FIBER CONNECTIVITY FOR THE CITY OF JONESBORO

Sponsors: Information Systems

Attachments: [Quote COJ Services Renewal.PDF](#)

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 8 - Darrel Dover;Ann Williams;Charles Frierson;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman and Todd Burton

Absent: 4 - Chris Moore;John Street;Tim McCall and Rennell Woods

Enactment No: O-EN-047-2015

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

Councilman Coleman received the Roy Jolly Award from the Jonesboro Chamber of Commerce recently. He congratulated Councilman Coleman.

The Caraway Road bridge has all three lanes open now.

The study concerning Johnson Avenue has been sent to the Highway Department. They are expecting a minute order in December for safety money to put in crosswalks at three of the five intersections on Johnson Avenue to help slow traffic down.

Also on the minute order for December is the bridge behind Turtle Creek Mall paid for with the trail grant. The bridge is being fully paid for by the Highway Department.

The transfer station will open this Friday, October 23rd with the grand opening at 11:00 a.m. It is located at the intersection of Matthews and Caraway.

They have spoken with the warden about having prisoners help clean out ditches two to three days per week.

The Fairview Association held their cleanup last weekend. They picked up 8.4 tons of garbage. He thanked the Sanitation Department and everyone else who helped with the project.

COM-15:065

Municipal Airport Commission financial statement for September 30, 2015

Sponsors: Municipal Airport Commission

Attachments: [Financial statement](#)

This item was Filed.

9. CITY COUNCIL REPORTS

Councilman Johnson noted copies of the revised property maintenance code were presented to the Council members at the meeting tonight. There will be a special called Public Safety Committee meeting on Tuesday, October 27th, at 5:00 p.m. to decide whether or not the code will be forwarded on to Council.

Councilman Burton congratulated Councilman Coleman for his award.

10. PUBLIC COMMENTS

Eugene Holloway, 408 N. Marshall, discussed the property maintenance code. He explained there are three main points he wanted to make. He asked the Council to find answers in their heart when the time comes to make their vote. He asked they utilize compassion and examine both sides of the issue. He noted citizens do not live outside their homes; rather, they live inside them. Lastly, he asked for them to have faith in the proper application of the code. Mr. Holloway asked that the public be fully informed about the right of entry since that is what people are asking for clarification about.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 8 - Darrel Dover;Ann Williams;Charles Frierson;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman and Todd Burton

Absent: 4 - Chris Moore;John Street;Tim McCall and Rennell Woods

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk



Legislation Details (With Text)

File #:	RES-15:060	Version:	1	Name:	Amend salary plan to add Deputy City Clerk position to City Clerk's Office
Type:	Resolution	Status:			Recommended to Council
File created:	4/7/2015	In control:			Finance & Administration Council Committee
On agenda:		Final action:			
Title:	A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A DEPUTY CITY CLERK POSITION TO THE CITY CLERK'S OFFICE				
Sponsors:	City Clerk				
Indexes:	Position - creation/amendment				
Code sections:					
Attachments:	Job Description Supplemental Position Information Position information for last year				

Date	Ver.	Action By	Action	Result
10/27/2015	1	Finance & Administration Council Committee		
7/28/2015	1	Finance & Administration Council Committee	Postponed Temporarily	Pass
5/12/2015	1	Finance & Administration Council Committee	Postponed Indefinitely	Pass

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A DEPUTY CITY CLERK POSITION TO THE CITY CLERK'S OFFICE

WHEREAS, RES-09:201 adopted the City Salary & Administration Plan; and

WHEREAS, it is recommended by the Finance Committee, to ensure sufficient staffing in the City Clerk's Office that the position of Deputy City Clerk, Grade 125, with a salary range of \$52,770 - 65,963 - 79,156 be added to the Salary & Administration Plan.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, THAT:

SECTION 1: The City Salary & Administration Plan is amended by the addition of a Deputy City Clerk position to the City Clerk's Office with the position to take effect January 1, 2016.

May 2014

Deputy City Clerk

Job Description

Exempt: Yes
Department: City Clerk
Reports To: City Clerk
Location: 300 S. Church Street Jonesboro, AR Room 105A
Date Prepared: March 23, 2015
Date Revised: May 14, 2015

GENERAL DESCRIPTION OF POSITION

To support the Office of City Clerk, fulfilling the duties as prescribed by law.

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Administrator for Legistar software , and Granicus hardware. This duty is performed weekly.
2. Trains city employees from each department on Legistar software, troubleshoots for every department. This duty is performed daily.
3. Create and maintain City Clerk web site. This duty is performed monthly.
4. Budget preparation, Reconciliation of Accounts. This duty is performed monthly.
5. Agenda preparation, notification and distribution. This duty is performed weekly.
6. Preparation of minutes, resolutions, ordinances, and contracts for execution by the Mayor and City Clerk. This duty is performed weekly.
7. Maintains property deeds, cemetery plots, plats, videos and contracts. This duty is performed weekly.
8. Assist citizens on the proper process for zoning changes, abandonment, Technical Codes etc. This duty is performed daily.
9. Maintains appointments for City Boards and Commissions. This duty is performed monthly.
10. Assists with the codification of the Jonesboro Code of Ordinances. This duty is performed monthly.
11. Handles legal publications. This duty is performed weekly.
12. Maintains office equipment and supplies. This duty is performed monthly.
13. Supervisor of one or more employees. This duty is performed daily.
14. Assists other city departments with research of city documentation. This duty is performed daily.

15. Perform any other related duties as required or assigned.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty mentioned satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

EDUCATION AND EXPERIENCE

Broad knowledge of such fields as accounting, marketing, business administration, finance, etc. Equivalent to a four year college degree, plus 2 years related experience and/or training, and 12 to 18 months related management experience, or equivalent combination of education and experience.

COMMUNICATION SKILLS

Ability to write reports, business correspondence, and policy/procedure manuals; Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the general public.

MATHEMATICAL SKILLS

Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts such as fractions, ratios, and proportions to practical situations.

CRITICAL THINKING SKILLS

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

REQUIRED CERTIFICATES, LICENSES, REGISTRATIONS

Not indicated.

PREFERRED CERTIFICATES, LICENSES, REGISTRATIONS

ACCRT, IIMCM, AML Certifications

SOFTWARE SKILLS REQUIRED

Advanced: Database, Other, Word Processing/Typing

Intermediate: 10-Key, Accounting, Alphanumeric Data Entry, Contact Management, Payroll Systems, Presentation/PowerPoint, Spreadsheet

Basic: Human Resources Systems, Programming Languages

INITIATIVE AND INGENUITY

SUPERVISION RECEIVED

Under general direction, working from policies and general directives. Rarely refers specific cases to supervisor unless clarification or interpretation of the organization's policy is required.

PLANNING

Considerable responsibility with regard to general assignments in planning time, method, manner, and/or sequence of performance of own work, in addition, the organization and delegation of work operations for a group of employees engaged in widely diversified activities.

DECISION MAKING

Performs work operations which permit frequent opportunity for decision-making of major importance which would have considerable effect on the final attainment of multiple major activities and the organization's projects of a large organization component and organization's clientele.

MENTAL DEMAND

Close mental demand. Operations requiring close and continuous attention for control of operations. Operations requiring intermittent direct thinking to determine or select the most applicable way of handling situations regarding the organization's administration and operations; also to determine or select material and equipment where highly variable sequences are involved.

ANALYTICAL ABILITY / PROBLEM SOLVING

Oversight. Activities covered by expansive policies and objectives, and oversight as to execution and review. High order of analytical, interpretative, and constructive thinking in varied situations covering multiple areas of the organization.

RESPONSIBILITY FOR WORK OF OTHERS

Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities may include but not limited to interviewing, hiring and training employees; planning, assigning and directing work; appraising performance, rewarding and disciplining employees; addressing complaints and resolving problems.

Supervises a small group (1-3) of employees in the same or lower classification. Assigns and checks work; assists and instructs as required, but performs same work as those supervised, or closely related work, most of the time. Content of the work supervised is of a non-technical nature and does not vary in complexity to any great degree.

Supervises the following departments:

RESPONSIBILITY FOR FUNDS, PROPERTY and EQUIPMENT

Occasionally responsible for organization's property where carelessness, error, or misappropriation would result in moderate damage or moderate monetary loss to the organization. The total value for the above would range from \$5,000 to \$150,000.

ACCURACY

Probable errors would normally not be detected in succeeding operations and would definitely have serious effects in relationships with patrons and/or with the operations of other segments of the organization. Frequent possibilities of error would exist at all times, since the above mentioned areas are inherent in the job.

ACCOUNTABILITY

FREEDOM TO ACT

Generally controlled. General processes covered by established policies and standards with supervisory oversight.

ANNUAL MONETARY IMPACT

The amount of annual dollars generated based on the job's essential duties / responsibilities. Examples would include direct dollar generation, departmental budget, proper handling of organization funds, expense control, savings from new techniques or reduction in manpower.

Very small. Job creates a monetary impact for the organization up to an annual level of \$100,000.

IMPACT ON END RESULTS

Major impact. Job has a considerable impact on the organization's end results. A high level of accountability to generate, manage, and/or control funds within a department and/or total organization.

PUBLIC CONTACT

Extensive contacts with various diversified sectors of the public environment; wherein, the contacts are of major importance and failure to exercise proper judgment can lead to substantial losses to the organization.

EMPLOYEE CONTACT

Continuous contacts frequently involving difficult negotiations which require a well-developed sense of strategy and timing. Involves contacts with senior level internal officials.

USE OF MACHINES, EQUIPMENT AND/OR COMPUTERS

Computer software programming, level ii technician support, project management; system analyst and comprehensive computer software support/help and/or web site development and connectivity.

WORKING CONDITIONS

Periodically exposed to such elements as noise, intermittent standing, walking, occasionally pushing, carrying, or lifting; but none are present to the extent of being disagreeable.

ENVIRONMENTAL CONDITIONS

The following work environment characteristics described here are representative of those an employee encounters while performing essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the functions of this job, the employee is occasionally exposed to fumes or airborne particles, outdoor weather conditions. The noise level in the work environment is usually moderate.

PHYSICAL ACTIVITIES

The following physical activities described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions and expectations.

Highly repetitive, low physical. Highly repetitive type of work which requires concentration in the performance of tasks for consistent time cycles as prescribed by the tasks.

While performing the functions of this job, the employee is continuously required to talk or hear; regularly required to stand, walk; and frequently required to sit, use hands to finger, handle, or

feel, reach with hands and arms; occasionally required to climb or balance, stoop, kneel, crouch, or crawl, taste or smell. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision; distance vision; color vision; peripheral vision; depth perception; and ability to adjust focus.

ADDITIONAL INFORMATION

Not indicated.

DEPUTY CITY CLERK POSITION

1. The new position has 50% more duties than the current Office Manager position. Much of this is due to Legistar. I made the decision to opt for technology over personnel; to do more with less. Jonesboro is the only city in the State of Arkansas that utilizes the Legistar program to this extent. We hope to expand this endeavor in the future.
 - ❖ Nikki has a Bachelor of Science degree in Information Systems and is currently getting her Accounting Degree through an online program with Penn State. An education she is paying for herself, not with city funds.
2. Must have a clear understanding of State Statutes for abandonments, elections, annexations, ordinance preparation and publication, FOI law, personnel matters, and filing requirements with other State Agencies. Accuracy is critical to the day to day operations of the City Clerk Office.
 - ❖ Nikki has ten years of experience with the Office of City Clerk of Jonesboro, Arkansas.
3. Budget development and oversight. This position helps maintain accurate records of the Clerk's Office expenditures. Audits the City Clerk accounts with outside agencies such as Municode, Legistar, and various office equipment contracts.
4. The goal for the Office of City Clerk is to have a staff that is cross-trained, cost efficient and educated in the various aspects of public service.
 - ❖ We are not asking for any new personnel, only to create the position of Deputy City Clerk, and fill the vacancy of Office Manager.
 - ❖ Both positions will start at the lowest entry level as recommended by the Johansson Study: Nikki's current salary is \$42,212.
 - ❖ Nikki has been performing these extra duties for the last several years with no extra pay.
 - Deputy City Clerk – \$52,770 – Grade 125 –
 - Office Manager - \$33,787 – Grade 113
 - \$10,560 - \$8,423 = \$2,137 overall increase

Position information for the past year
Information does not include merit increases

October 4, 2014

Added a Public Information Specialist position to the Police Department
Salary range: \$31,747-\$47,619

October 21, 2014

Authorized pay for Assistant City Attorney position
Salary range: \$48,978-\$61,223-\$73,468
Starting pay: \$61,000 (almost midpoint)

November 18, 2014

Added Planner I and Planner II position to the Planning Department
Salary range for Planner I: \$27,610-\$41,415
Salary range for Planner II: \$34,504-\$51,755

December 2, 2014

Added a Sex Offender Registration Specialist position to the Police Department
Salary range: \$27,610-\$35,512-\$41,415

December 2, 2014

Added a Transit Route Specialist for JETS
Salary range: \$30,367-\$37,960-\$45,551

December 2, 2014

Added an Office Manager position to the City Attorney's Office
Salary range: \$33,124-\$41,406-\$49,687

December 16, 2014

Added a Communications Director position for the Mayor's Office
Original salary range: \$43,465-\$54,330-\$65,196
*This position was amended on February 3, 2015.
New salary range: \$44,334-\$55,416-\$66,500
Starting salary: \$55,416 (midpoint)

August 4, 2015

Authorized pay for Assistant City Attorney position
Salary range: \$49,957-\$62,448-\$74,937
Starting salary: \$62,202.50 (almost midpoint)

September 1, 2015

Added an Office Manager position to the Finance Department
Salary range: \$33,787.09-\$40,048.05-\$50,681.18
Starting salary: \$46,513.91 (almost maximum)



Legislation Details (With Text)

File #:	RES-15:151	Version:	1	Name:	Amend agreement with Vector Disease
Type:	Resolution	Status:		Status:	Recommended to Council
File created:	9/25/2015	In control:		In control:	Public Safety Council Committee
On agenda:		Final action:		Final action:	
Title:	A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH VECTOR DISEASE CONTROL INTERNATIONAL, LLC				
Sponsors:	Mayor's Office				
Indexes:	Contract				
Code sections:					
Attachments:	Jonesboro Vector contract 2012-2018				

Date	Ver.	Action By	Action	Result
10/20/2015	1	Public Safety Council Committee		

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH VECTOR DISEASE CONTROL INTERNATIONAL, LLC

WHEREAS, the City of Jonesboro, Arkansas and Vector Disease Control International, LLC entered into a contract for mosquito control services on or about January 3, 2012; and

WHEREAS, the parties wish to amend the Agreement to provide for eight (8) aerial applications rather than the original agreement of five (5) aerial applications and said increase will not result in any increased cost to the City of Jonesboro; and

WHEREAS, said agreement is attached hereto and the terms set out therein;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

1. The City of Jonesboro approves the Amended Agreement with Vector Disease Control International, LLC to perform mosquito control services for the City of Jonesboro. The Amended Agreement, including the scope of services to be provided, are set out in the attachment.
2. The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

**MOSQUITO CONTROL
PROFESSIONAL SERVICES AGREEMENT**

THIS AGREEMENT for Mosquito Control Professional Services is entered into between the City of Jonesboro, Arkansas (the City) and Vector Disease Control International, LLC (Vector). For the protection of its residents, the City desires to provide a professionally designed and integrated program for the control of the mosquito population in the City. Vector has agreed to provide these services subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and Considerations contained herein, the City and Vector agree as follows:

1. **Term of the Agreement**. The term of this Agreement shall be for a period beginning January 1, 2012 and ending December 31, 2012. Provided, however, that this Agreement shall be automatically renewed each calendar year for the next year, for a maximum of six (6) years beginning on January 1 and ending on December 31 of each year with the conditions as contained in this Agreement unless terminated by either party as set out herein.

The City may choose not to renew this Agreement as required in this paragraph if (a) Vector fails to perform its obligations to the City as required under the terms of this Agreement or (b) the City becomes unable to meet its financial obligations in the ordinary course of its business. Vector may choose not to renew only if (a) renewal would result in extreme financial hardship to Vector or (b) Vector ceases to exist as a corporate entity.

Non-renewal will be invalid and ineffective unless the non-renewing party provides the other party with written notice of its intention not to renew not later than January 1 of any subsequent year in which automatic renewal occurs. Such notice must contain the reasons for non-renewal.

2. **Services to be Provided.** During the primary and renewal terms of this Agreement, Vector shall provide the following services during the mosquito breeding season (anticipated to be April 15 to October 15):
- a) **Surveillance.** Larvae breeding sites such as ditches, tire piles, artificial containers, septic ponds, rainwater pools, etc. will be inspected regularly and periodically. In addition, adult mosquito populations will be monitored using light traps, gravid traps, and landing rates. All collections will be identified as to specie and population distribution. Density will be plotted to detect any changes in problem areas.
 - b) **Larviciding.** Vector will apply only EPA-registered chemical and biological larvicides throughout the City and associated buffer zone. These will be applied at least weekly to persistent mosquito production areas and as indicated in other production areas. Chemicals, application rates and methods, including aerial applications if needed, will be tailored to habitat and mosquito specie in order to provide greater control.
 - c) **Adulticiding.** Vector will apply only EPA-registered mosquito adulticides which will be dispensed either by aerial application (minimum of (8)eight per year) or from truck-mounted, ultra-low volume (ULV) equipment throughout the City and associated buffer zone in order to provide uniform control and protect against re-infestation. Every attempt will be made to fly these missions in 8 consecutive weeks beginning when mosquito populations warrant. Ultimately, timing of these spray missions will be at Vector's discretion depending on mosquito surveillance data, thereby allowing

Vector to schedule around unpredictable weather and mosquito hatch offs. This will mean better efficacy and control for residents.

All ULV applications will be timed to coincide with peak mosquito activity in order to provide the most effective control possible.

- d) **Record Keeping**. Vector will keep complete records of all operations including records of inspections and larvicide and adulticide applications, of all which will be tabulated and presented in written monthly reports to the City. All forms and reports of pesticide usage required by all regulatory agencies will be filed to comply with applicable laws and copies will be submitted to the City for its files.

3. **Payment**. For services to be provided by Vector during the term hereof, the City shall pay to Vector the following:

- a) For the primary term (2012) the sum of FOUR HUNDRED SIX THOUSAND DOLLARS (\$406,000.00) in twelve (12) equal monthly installments of \$33,833.33 each, payable on or before the 15th day of each month, beginning January 15, 2012.
- b) For the year 2013, the sum of FOUR HUNDRED TWELVE THOUSAND DOLLARS (\$412,000.00) in twelve (12) equal monthly installments of \$34,333.33 each, payable on or before the 15th day of each month, beginning January 15, 2013.
- c) For the year 2014, the sum of FOUR HUNDRED EIGHTEEN THOUSAND DOLLARS (\$418,000.00) in twelve (12) equal monthly installments of \$34,833.33
- d) For the year 2015, the sum of FOUR HUNDRED TWENTY-FOUR THOUSAND DOLLARS (424,000.00) in twelve (12) equal monthly installments of \$35,333.33 each, payable on or before the 15th day of each month, beginning January 15, 2015.

e) For the years 2016, 2017, and 2018, the sum of FOUR HUNDRED THIRTY THOUSAND DOLLARS (\$430,000.00) in twelve (12) equal monthly installments of \$35,833.33 each, payable on or before the 15th day of each month, beginning January 15, 2016.

4. **Insurance.** Vector shall at its own expense procure and maintain the following coverages:

- a) Workers compensation with a statutory minimum employer liability;
- b) General liability with a minimum general aggregate limit of \$2,000,000.00.
- c) Commercial Auto with a minimum liability of \$1,000,000.00.
- d) Aviation liability with a minimum of \$1,000,000.00.

Vector shall provide the City with written proof that it has obtained the insurance required under the terms of this Agreement.

5. **Non-Liability of the City, Its Officials, and Employees.** No employee or elected official of the City shall be personally responsible for any damage resulting from the negligence or intentional acts of Vector in the performance of services required under the terms of this Agreement.

6. **Indemnity.** Vector shall indemnify and hold harmless the City, its elected officials, agents, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorneys' fees as a result of any work done by Vector in the performance of this Agreement, including full and complete compliance with all State and Federal laws, rules, and regulations.

7. **Defaults.** A material breach of any of the terms and conditions of this Agreement on the part of Vector shall be grounds for the termination of this Agreement at the option of the

City. The City, upon termination, shall be at liberty to re-let the work to other parties, or to perform the work without contract, and in either case, Vector shall be liable for any excess costs in performing such work over the cost to the City if Vector had continued to perform in accordance with this Agreement.

8. **Civil Unrest.** Notwithstanding anything contained in this Agreement to the contrary, in the event Vector, in its sole discretion, determines that because of civil unrest a substantial risk of personal injury to its employees or damage to its equipment exists, then Vector may refuse to provide services in that part of the coverage area where such risk exists until:

- a) Order is restored and the threat of such injury or damage has been resolved; or
- b) The City has, in the sole discretion of Vector, taken adequate security measures to insure the safety of Vector personnel and equipment.

any refusal by Vector to treat a part of the coverage area under the circumstances described in this section shall not be deemed to be a breach of this Agreement.

9. **Prohibition of Other Commercial Mosquito Control Applications.** Because of its various reporting and record keeping responsibilities and the liability assumed by Vector under the terms of this Agreement, and because of potential harm to the public, the City shall not permit other commercial mosquito control pesticide applications to occur in public areas of the City during the term of this Agreement.

10. **Miscellaneous.** That the parties are agreed that Vector shall maintain their principal office for the Northeast Arkansas region in Jonesboro, Arkansas. Said office shall be staffed and operated as the central shipping and receiving point for Northeast Arkansas, with bulk chemical storage, computer system, and reports conducted from said office. It is the further understanding and intention of all parties that this contract shall be contingent upon being in compliance with all applicable laws of the State of Arkansas.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the
_____ day of September, 2015.

VECTOR DISEASE CONTROL INTERNATIONAL, LLC

By: _____

Debbie Clement, Chief Financial Officer

CITY OF JONESBORO, ARKANSAS

By: _____

Harold Perrin, Mayor

ATTEST:

Donna K. Jackson, City Clerk



Legislation Details (With Text)

File #: RES-15:157 **Version:** 1 **Name:** Amend salary plan concerning salary increases
Type: Resolution **Status:** Recommended to Council
File created: 10/9/2015 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**
Title: RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY AND ADMINISTRATION POLICY
Sponsors: Human Resources
Indexes: Policy - creation/amendment
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
10/27/2015	1	Finance & Administration Council Committee		

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY AND ADMINISTRATION POLICY

WHEREAS, Resolution Number 09:201 adopted the City Salary & Administration Plan; and

WHEREAS, a need has been identified to modify the City of Jonesboro's current Salary Administration Plan to insure an optimum performance and effectiveness level for all employees.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Jonesboro that the 2nd sentence under SALARY INCREASES be changed to read "Market Adjustments or Cost of Live Adjustments, if any, may (instead of will) change the salary range for each pay grade."



Legislation Details (With Text)

File #:	ORD-15:058	Version:	1	Name:	Amend City Council rules and procedures
Type:	Ordinance	Status:		Status:	First Reading
File created:	10/29/2015	In control:		In control:	City Council
On agenda:		Final action:			
Title:	AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES CHAPTER 2 ARTICLE 3, ENTITLED CITY COUNCIL; ESTABLISHING CITY COUNCIL RULES AND PROCEDURES FOR 2016; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES				
Sponsors:	City Council				
Indexes:	Code of Ordinances amendment				
Code sections:	Chapter 2 - Administration				
Attachments:	Exhibit A				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES CHAPTER 2 ARTICLE 3, ENTITLED CITY COUNCIL; ESTABLISHING CITY COUNCIL RULES AND PROCEDURES FOR 2016; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, it is the desire of the Jonesboro City Council to establish the organization of the 2016 Jonesboro City Council in accordance with Arkansas Code Annotated 14-43-501; AND

WHEREAS, The 2015 Nominating and Rules Committee has reviewed and recommends Exhibit "A" in its entirety.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: That the Jonesboro Code of Ordinances, Chapter 2 Article 3, entitled City Council, Sections 2-84 through 2-98 are hereby repealed and, replaced according to Exhibit "A" hereto attached.

SECTION 3: All ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 4: The provisions of this ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, each invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: An emergency is declared to ensure that the City Council is not in violation of and meets the requirements of Arkansas Code Annotated 14-43-501.

ARTICLE III. - CITY COUNCIL

DIVISION 1. - GENERALLY

Sec. 2-55. - Wards.

The city is divided into six wards with boundaries as established by ordinance as follows, and shown on a map on file in the office of the clerk.

Ward 1: Beginning at the intersection of the Railroad and the Corporate Limits (near Mahon Drive); thence easterly along the Railroad to the centerline of South Culberhouse Street; thence south along the centerline of South Culberhouse Street to the centerline of West Oak Street; thence west along the centerline of West Oak Street to the centerline of Flint Street; thence south along the centerline of Flint Street to the centerline of West Nettleton Avenue; thence west along the centerline of West Nettleton to the centerline of Cole Street; thence south along the centerline of Cole Street to the centerline of Wood Street; thence southwesterly along the centerline of Wood Street to the centerline of U.S. Highway 63 (Joe N. Martin Expressway); thence easterly along the centerline of U.S. Highway 63 (Joe N. Martin Expressway) to the centerline of U.S. Highway 49 (Southwest Drive); thence southerly along the centerline of U.S. Highway 49 (Southwest Drive) to the centerline of Wood Street; thence northwesterly along the centerline of Wood Street to the centerline of Neely Road; thence westerly along the centerline of Neely Road to the centerline of Woodsprings Road; thence westerly along the centerline of Woodsprings Road to the centerline of Friendly Hope Road; thence southerly along the centerline of Friendly Hope Road to the centerline of Flemon Road; thence easterly along the centerline of Flemon Road to the intersection of Flemon Road, Kellers Chapel Road and Maple Valley Drive; thence southerly along the centerline of Maple Valley Drive to the intersection of Maple Valley Drive, U.S. Highway 49 (Southwest Drive) and Wimpy Lane; thence southerly along the centerline of Wimpy Lane to the Corporate Limits; thence westerly along the Corporate Limits to the point of beginning.

Ward 2: Beginning at the intersection of Culberhouse Street and the Railroad; thence south along the centerline of South Culberhouse Street to the centerline of West Oak Street; thence east along the centerline of West Oak Street to the centerline of Flint Street; thence south along the centerline of Flint Street to the centerline of West Nettleton Avenue; thence east along the centerline of Nettleton Avenue to the centerline of Kitchen Street; thence north along the centerline of Kitchen Street to the centerline of East Oak Avenue; thence east along the centerline of East Oak Avenue to the centerline of South Patrick Street; thence north along the centerline of South Patrick Street to the Railroad; thence westerly along the Railroad to the centerline of North Fisher Street; thence Northerly along the centerline of North Fisher Street to the centerline of Aggie Road; thence easterly along the centerline of Aggie Road to the centerline of Howard Street; thence north along the centerline of Howard Street to the centerline of AR Highway 91 (East Johnson Avenue); thence east along the centerline of AR Highway 91 (East Johnson Avenue) to the centerline of Howard Street; thence north along the centerline of Howard Street to the centerline of Calion Street; thence west and north along the centerline of Calion Street to the centerline of Belt Street; thence east along the centerline of Belt Street to the centerline of Greensboro Road; thence northeasterly along the centerline of Greensboro Road to the centerline of North Caraway Road; thence north to the centerline of Lost Creek; thence northeasterly along the centerline of Lost Creek to the intersection of Lost Creek and the Corporate Limits; thence westerly along the Corporate Limits to the intersection of the Corporate Limits and the Railroad (near Mahon Drive); thence easterly along the Railroad to the point of beginning.

Ward 3: Beginning at the intersection of U.S. Highway 49 (East Johnson Avenue) and Clinton School Road; thence southwesterly along the centerline of U.S. Highway 49 (East Johnson Avenue) to the intersection of U.S. Highway 49 (East Johnson Avenue) and Stadium Boulevard; thence south along the centerline of Stadium Boulevard to the centerline of AR Highway 18 (East Highland Drive); thence west along the center line of AR Highway 18 (East Highland Drive) to the centerline of South Caraway Road; thence north along the centerline of South Caraway Road to the centerline of East Nettleton Avenue;

thence west along the centerline of East Nettleton Avenue to the centerline of Kitchen Street; thence north along the centerline of Kitchen Street to the centerline of East Oak Avenue; thence east along the centerline of East Oak Avenue to the centerline of South Patrick Street; thence north along the centerline of South Patrick Street to the Railroad; thence westerly along the Railroad to the centerline of North Fisher Street; thence Northerly along the centerline of North Fisher Street to the centerline of Aggie Road; thence easterly along the centerline of Aggie Road to the centerline of Howard Street; thence north along the centerline of Howard Street to the centerline of AR Highway 91 (East Johnson Avenue); thence east along the centerline of AR Highway 91 (East Johnson Avenue) to the centerline of Howard Street; thence north along the centerline of Howard Street to the centerline of Calion Street; thence west and north along the centerline of Calion Street to the centerline of Belt Street; thence east along the centerline of Belt Street to the centerline of Greensboro Road; thence northeasterly along the centerline of Greensboro Road to the centerline of North Caraway Road; thence north to the centerline of Lost Creek; thence northeasterly along the centerline of Lost Creek to the intersection of Lost Creek and the Corporate Limits; thence along the Corporate Limits to the point of beginning.

Ward 4: Beginning at the intersection of West Nettleton Avenue and Cole Street; thence south along the centerline of Cole Street to the centerline of Wood Street; thence southwesterly along the centerline of Wood Street to the centerline of U.S. Highway 63 (Joe N. Martin Expressway); thence southeasterly along the centerline of U.S. Highway 63 (Joe N. Martin Expressway) to the centerline of U.S. Highway 49 (Southwest Drive); thence southwesterly along the centerline of U.S. Highway 49 (Southwest Drive) to the centerline of Wood Street; thence northwesterly along the centerline of Wood Street to the centerline of Neely Road; thence westerly along the centerline of Neely Road to the centerline of Woodsprings Road; thence westerly along the centerline of Woodsprings Road to the centerline of Friendly Hope Road; thence southerly along the centerline of Friendly Hope Road to the centerline of Flemon Road; thence easterly along the centerline of Flemon Road to the intersection of Flemon Road, Kellers Chapel Road and Maple Valley Drive; thence southerly along the centerline of Maple Valley Drive to the intersection of Maple Valley Drive, U.S. Highway 49 (Southwest Drive) and Wimpy Lane; thence southerly along the centerline of Wimpy Lane to the Corporate Limits; thence easterly along the Corporate Limits to the centerline of the Railroad (east of South Caraway Road and south of Glover Road); thence northerly along the Railroad to the centerline of AR Highway 1B (Harrisburg Road); thence northerly along the centerline of AR Highway 1B (Harrisburg Road); to the centerline of East Craighead Forest Road; thence west along the centerline of East Craighead Forest Road to the centerline of AR Highway 141 (South Culberhouse Road); thence north along the centerline of AR Highway 141 (South Culberhouse Road) to the centerline of U.S. Highway 63 (Joe N. Martin Expressway); thence east along U.S. Highway 63 (Joe N. Martin Expressway) to the centerline of AR Highway 1B (Harrisburg Road); thence northerly along the centerline of AR Highway 1B (Harrisburg Road) to the centerline of Stonebridge Drive; thence easterly along the centerline of Stonebridge Drive to the easternmost intersection of Stonebridge Drive and Arrowhead Drive; thence east along the centerline of Arrowhead Drive to the centerline of Indian Trails; thence north along the centerline of Indian Trails to the centerline of AR Highway 18 (East Highland Drive); thence east along the centerline of AR Highway 18 (East Highland Drive) to the centerline of South Caraway Road; thence north along the centerline of South Caraway Road to the centerline of East Nettleton Avenue; thence west along the centerline of East Nettleton Avenue to the point of beginning.

Ward 5: Beginning at the intersection of AR Highway 18 (East Highland Drive) and Stadium Boulevard; thence south along the centerline of Stadium Boulevard to the centerline of Race Street; thence east along the centerline of Race Street to the centerline of Richardson Drive; thence south along the centerline of Richardson Drive to the centerline of U.S. Highway 63 (Joe N. Martin Expressway); thence east along the centerline of U.S. Highway 63 (Joe N. Martin Expressway) to the centerline of the Railroad; thence southwesterly along the Railroad to the centerline of Colony Drive; thence east along the centerline of Colony Drive to the centerline of Richardson Drive; thence south along the centerline of Richardson Drive to the centerline of Limestone Drive; thence east along the centerline of Limestone Drive to the Corporate Limits; thence southwesterly along the Corporate Limits to the centerline of the Railroad (east of South Caraway Road and south of Glover Road); thence northerly along the Railroad to the centerline of AR Highway 1B (Harrisburg Road); thence northerly along the centerline of AR Highway 1B (Harrisburg Road); to the centerline of East Craighead Forest Road; thence west along the centerline of East Craighead Forest Road to the centerline of AR Highway 141 (South Culberhouse Road); thence north along the centerline of AR Highway 141 (South Culberhouse Road) to the centerline of U.S.

Highway 63 (Joe N. Martin Expressway); thence east along U.S. Highway 63 (Joe N. Martin Expressway) to the centerline of AR Highway 1B (Harrisburg Road); thence northerly along the centerline of AR Highway 1B (Harrisburg Road) to the centerline of Stonebridge Drive; thence easterly along the centerline of Stonebridge Drive to the easternmost intersection of Stonebridge Drive and Arrowhead Drive; thence east along the centerline of Arrowhead Drive to the centerline of Indian Trails; thence north along the centerline of Indian Trails to the centerline of AR Highway 18 (East Highland Drive); thence east along the centerline of AR Highway 18 (East Highland Drive) to the point of beginning.

Ward 6: Beginning at the intersection of U.S. Highway 49 (East Johnson Avenue) and Clinton School Road; thence southwesterly along the centerline of U.S. Highway 49 (East Johnson Avenue) to the intersection of U.S. Highway 49 (East Johnson Avenue) and Stadium Boulevard; thence south along the centerline of Stadium Boulevard to the centerline of Race Street; thence east along the centerline of Race Street to the centerline of Richardson Drive; thence south along the centerline of Richardson Drive to the centerline of U.S. Highway 63 (Joe N. Martin Expressway); thence east along the centerline of U.S. Highway 63 (Joe N. Martin Expressway) to the centerline of the Railroad; thence southwesterly along the Railroad to the centerline of Colony Drive; thence east along the centerline of Colony Drive to the centerline of Richardson Drive; thence south along the centerline of Richardson Drive to the centerline of Limestone Drive; thence east along the centerline of Limestone Drive to the Corporate Limits; thence northeasterly along the Corporate Limits to the point of beginning.

(Code 2006, § 2.08.02; Ord. No. 3341, § 1; Ord. No. 11:076, § 1, 11-15-2011)

State law reference— Wards, A.C.A. § 14-43-311.

Secs. 2-56—2-83. - Reserved.

DIVISION 2. - MEETINGS

FOOTNOTE(S):

--- (1) ---

State Law reference— Authority to provide rules of procedure, A.C.A. § 14-43-501. [\(Back\)](#)

Sec. 2-84. - City council meetings.

- (a) *Regular meetings.* The city council shall meet in regular session on the first and third Tuesday of each month at 5:30 p.m. The regular session may be rescheduled for reasons of holidays, inclement weather, or any other special circumstances beyond the city council's control. When such special circumstances occur, the regular meeting shall be held on the following Thursday at the same hour. This change will include regularly scheduled committee meetings as well.
- (b) *Location.* The place of the city council meetings shall be in the city council chambers unless another place has previously been set by the city council.
- (c) *Special meetings.* Special meetings may be called by three or more aldermen, or by the mayor. Notification of a special meeting, including specific items to be considered, shall be given by the city clerk at least two hours prior to the meeting. Such notification shall be made by personal service to each member or by telephone specifying time and place of the meeting. The city clerk or his designee shall keep the record of the meeting. Only the aldermen who requested the special meeting or the mayor, if he requested the special meeting, may cancel the special meeting.
- (d) *Executive session.* An executive session may be convened on the request of any member of the city council or the mayor. Executive session will be permitted only for the purpose of considering the employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee.

- (e) *Quorum.* A majority of the city council shall be necessary to constitute a quorum to do business. The mayor shall have a vote to establish a quorum of the city council at any meeting of the city council. The concurring vote of a majority of those elected, providing a quorum is present, shall represent the acts of the city council except where otherwise provided by law.
- (f) *Public notification and participation.*
 - (1) The city will, if necessary, go further than legally required in order to inform citizens of the items to be considered by the city council. The means used will include publication in a local newspaper, publication via the internet, special notice to citizens who have shown a direct interest in matters to be considered, and copies of the agenda will be placed at the entrance to the city council meetings.
 - (2) Members of the audience will be offered an opportunity to speak on all questions before the city council. Individuals shall provide his name and address immediately after being recognized by the presiding officer. Repetitive comments should be avoided; this applies to comments made previously either to the city council or to the planning commission when those planning commission minutes have been provided to the councilmembers. All remarks shall be addressed to the city council as a whole and not to any particular member of the city council. No person other than the city councilmembers and the person having the floor shall be permitted to enter into any discussions without permission of the presiding officer. No questions shall be asked a city councilmember or city employee except through the presiding officer. All members of the public are requested to accord the utmost courtesy to members of the city council, to other members of the public appearing before the city council, and to city staff, and are asked to refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.
- (g) *Smoking prohibited.* There will be no smoking allowed in the city council chambers or in any committee meeting room.
- (h) *Cell phones and pagers.* With the exception of on-duty emergency services personnel, cell phones and pagers must be turned off or put in silent mode and not used within the council chambers or committee meeting rooms during meetings.

(Ord. No. 09:001, § 1(2.20.01), 1-20-2009; Ord. No. 13:001, § 1, 1-22-2013; Ord. No. 14:005, § 1, 2-6-2014)

State law reference— Calling special meetings, A.C.A. § 14-43-502; purposes of executive sessions, A.C.A. § 29-19-106; quorum, A.C.A. § 14-43-501.

Sec. 2-85. - Duties and privileges of aldermen and other city officials at city council meetings.

- (a) *Seating.* Members shall occupy the respective seats in the council chambers assigned by position number. The presiding officer (mayor, president pro tempore, or designee) shall be seated in the center of the councilmembers table. Seated to either side of the presiding officer shall be the city clerk and the city attorney or, in their absence, their designees. Aldermen shall be seated according to their ward beginning on the presiding officer's far left with Ward 1, Pos. 1; Ward 1, Pos. 2; Ward 2, Pos. 1; Ward 2, Pos. 2; Ward 3, Pos. 1; Ward 3, Pos. 2; then beginning on the presiding officer's far right with Ward 4, Pos. 1; Ward 4, Pos. 2; Ward 5, Pos. 1; Ward 5, Pos. 2; Ward 6, Pos. 1 and Ward 6, Pos. 2.
- (b) *Conduct.*
 - (1) During city council meetings, aldermen shall preserve order and decorum and shall neither by conversation nor by otherwise delay or interrupt the proceedings. Neither shall they refuse to obey the orders of the presiding officer or the rules of the city council.
 - (2) Every member of the city council desiring to speak shall address the chairperson and, upon recognition by the presiding officer, shall confine himself to the questions under debate and

shall avoid all personalities and indecorous language. A city councilmember, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, or unless a point of order is raised by another member or unless the member chooses to yield to questions from another member.

- (3) If a member is called to order while he is speaking, he shall cease speaking immediately until the question of order is determined. If ruled to be not in order, he shall remain silent or shall alter his remarks so as to comply with the rules of the city council.
- (4) Aldermen and other elected city officials shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the city council, and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. City councilmembers shall confine their questions as to the particular matters before the city council and in debate shall confine their remarks to the issues before the city council. To keep or restore order and dignity to a council meeting, the city council, by a majority vote, reserves the right to remove from a council meeting any individual who repeatedly violates this rule for conduct.
- (c) *Personal interest.* No alderman or other elected city official with a direct or indirect financial or personal interest in any item before the city council shall participate in the discussion of or voting on such matter.
- (d) *Voting.* Every member present when a question is put to a vote shall vote either "Yea" or "Nay," except that a member may abstain from voting: (a) if he has not participated in the preceding discussion of the question, and (b) if that member briefly states the reason for the abstention. The aldermen will vote at city council meetings in the order of their position number, with a different position voting first, as determined by the city clerk, on each vote taken.
- (e) *Roll call.* Upon every vote, a voice vote of the affirmative and negative votes shall be called and be recorded on every motion, resolution, and ordinance. The presiding officer or any alderman may call for a roll call vote. A roll call vote shall be taken when enacting an emergency clause, repealing an initiated measure, or when otherwise required by law.
- (f) *Presiding officer.*
 - (1) The mayor shall be ex officio president of the city council and shall preside at its meetings.
 - (2) The mayor shall have a vote when his vote is needed to pass any ordinance, bylaw, resolution, order, or motion. Per A.C.A. § 14-43-501.
- (g) *President pro tempore.* The city council shall annually, at the time of organizing, in public session, elect one of its members as president pro tempore. Any alderman may nominate any other member of the city council for this position, and no second of a nomination is required. Each alderman shall vote by naming his choice by voice vote if there is more than one nominee for the position. A majority vote of the city council shall be required for election. In the absence of the mayor, the presiding officer duties shall be performed by the president pro tempore; in the absence of the president pro tempore, those duties shall be performed by a designated alderman. Designation shall be by majority vote of the council present at any meeting where a clear designation of presiding officer has not been made.
- (h) *Privileges of the president pro tempore.* The president pro tempore or designee acting as the presiding officer may move, second, and debate from the chair and shall not be deprived of the rights and privileges of being a member of the city council by reason of his acting as the presiding officer.

(Ord. No. 09:001, § 1(2.20.02), 1-20-2009)

State law reference— Selection of president pro tempore, A.C.A. § 14-43-501(b)(2).

Sec. 2-86. - Freedom of information procedure.

All meetings of the city council shall be public meetings. Notice of the time, place and date of all special meetings shall be given to representatives of the newspapers and radio stations located in Craighead County which have requested to be notified at least two hours before the special meeting takes place. Any news media located elsewhere that regularly covers the meetings of the council and which have requested notification shall also be notified at least two hours before the meeting takes place.

(Ord. No. 09:001, § 1(2.20.03), 1-20-2009)

State law reference— Open meetings required and exceptions thereto, A.C.A. § 25-19-106.

Sec. 2-87. - Procedures and parliamentary rules.

(a) *Order of business.*

- (1) The city council's agenda order shall be coordinated by the city clerk. All items for discussion or action at the regular council meeting shall be organized under the following headings:
 - a. Call to order by the mayor;
 - b. Pledge of Allegiance and Invocation;
 - c. Roll Call by the City Clerk;
 - d. Special Presentations;
 - e. Consent Agenda;
 - f. Unfinished Business;
 - g. New Business;
 - h. Mayor's Report;
 - i. City Council Reports;
 - j. Public Comment;
 - k. Adjournment.
- (2) The mayor shall delegate collection, initial organization, and distribution of the final draft to the city clerk; however, the mayor shall maintain responsibility for and control of the agenda. At the regular meeting of the council, the city council, by majority vote, may rearrange the order of the agenda.

(b) *Agenda items and public comment.*

- (1) The deadline for agenda items shall be at the city clerk's office on or before 10:00 a.m. on Thursday immediately preceding each regular city council meeting, except when the regular meeting time has changed due to holidays or rescheduling of the meeting. In such cases, the deadline for agenda items will be adjusted to accommodate the meeting. All items for discussion or action at the regular city council meeting shall be included in an agenda provided by the city clerk to the aldermen, the mayor, and the city attorney via internet by 4:00 p.m. on Thursday, immediately preceding the regular council meeting.
- (2) The city clerk shall place the items on the agenda in the order that each item is received in the clerk's office. The mayor reserves the right to add or remove items submitted by the administration before the agenda is provided to the aldermen and the public. They mayor must submit the changes to the agenda in writing to the city clerk by 4:00 p.m. on the day of the submission deadline described above in (b)(1).
- (3) Any ordinance or resolution which was not included on the final agenda may only be brought before the city council after approval by unanimous vote of any city council committee with four or more councilmembers. The city council, by majority vote, at the regular council meeting, must then suspend the rules and bring the item to the floor for consideration.

(4) Any citizen living within the city limits of Jonesboro desiring to place legislation on the City Council agenda may do so by submitting the desired legislation in writing to the mayor or any of the aldermen and engage them to sponsor the item. Once the mayor or alderman has agreed to sponsor the legislation, it will be vetted to the city attorney before being placed on the appropriate committee agenda prior to going to the full Council.

(5) The city council shall provide 15 minutes during each regular council meeting for public comment on non-agenda business. Each individual is required to limit his comments to five minutes. The city council reserves the right to suspend the rules for extra time, if necessary.

(c) *Precedence of motions.* The city council shall follow the precedence and classification of motions as given in the most recent edition of the Arkansas Municipal League's "Procedural Rules for Municipal Officials" or successive publications. In the event the handbook does not cover the matter, the most recent edition of Robert's Rules of Order shall apply. On questions of appeal, a majority of those present is required to overturn a ruling of the chairperson.

(1) *Motions to be stated by the chairperson/withdrawal.* When a motion is made and seconded, it shall be stated by the presiding officer before debate. After being stated by the presiding officer, a motion may not be withdrawn by the mover without the consent of the member seconding it and approval of the city council.

(2) *Reconsideration.* After the decision of any question, any member of the majority may request a reconsideration of any action at the same or the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before final execution thereof. A motion to reconsider requires a simple majority for passage. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

(3) *Readings.* All ordinances shall be read aloud at three different meetings unless the city council votes to dispense the rules by a two-thirds majority.

(Ord. No. 09:001, § 1(2.20.04), 1-20-2009; Ord. No. 13:001, § 1, 1-22-2013)

State law reference— Authority to provide rules of procedure, A.C.A. § 14-43-501.

~~Sec. 2-88.— Absence from council meetings.~~

~~Any councilmember shall be entitled to be absent from two regularly scheduled council meetings per year with pay beginning January 1 of each calendar year for the following reasons:~~

~~(1) Sickness or illness of the councilmember who is confined to his bed or a hospital and is under the care of a medical doctor.~~

~~(2) Death of an immediate member of a councilmember's family. Immediate family is defined as to include: Husband, wife, father, son, daughter, brother, sister, mother-in-law, father-in-law, grandmother and/or grandfather.~~

~~(3) Absence due to being on other official city business which requires said councilmember's presence on the same night that the city has scheduled its regular session.~~

~~(4) Absence due to other work-related obligations.~~

~~(Ord. No. 09:001, § 1(2.20.05), 1-20-2009)~~

Sec. 2-89. - Appeals to council.

Appeals to the city council of decisions of commissions and boards shall be in writing signed by the party appealing, dated and filed with the clerk within 30 days following the decision of the board and/or commission. The appeal shall set forth the objection to the decision rendered by said commission and/or board. Decisions shall be considered final if no appeal is perfected within the 30-day period.

(Ord. No. 09:001, § 1(2.20.06), 1-20-2009)

Sec. 2-90. - Hearings.

Appeals shall be heard by the city council meeting in official session. The city council may call a special meeting to hear said appeal.

(Ord. No. 09:001, § 1(2.20.07), 1-20-2009)

Sec. 2-91. - Notice.

The city council shall notify the party appealing by certified mail, return receipt requested, of the date of hearing. The notice shall contain the following statements:

- (1) The appealing party shall be entitled to counsel at the hearing;
- (2) The appealing party shall be able to discuss their proposal with the council;
- (3) The appealing party may introduce any information they might have concerning the matter;
- (4) The rules of evidence and the rules of procedure established for the judicial system of the state shall not be applicable at said hearing;
- (5) The appealing party shall be entitled, upon request, to a written statement from the city council which shall state the facts and reasons for denying the appealing party's appeal if same is denied.

(Ord. No. 09:001, § 1(2.20.08), 1-20-2009)

Sec. 2-92. - Action.

The city council shall either approve or reject the appealed decision by a majority vote. Failure to act on the appeal within 60 days after same is filed will be deemed approval of the decision of the board and/or commission. Decision not approved by the city council may be resubmitted through proper channels not less than six months following the council's action or sooner if there is a material change in circumstances or conditions.

(Ord. No. 09:001, § 1(2.20.09), 1-20-2009)

Sec. 2-93. - Bring ordinances before council.

- (a) Once an item is brought before the city council, there shall exist a three month time limit within which to obtain a ruling by the city council. Failure to meet the deadline will result in the item not being brought before the council again for a one-year period, and starting the procedural process over.
- (b) Once an item has been tabled or pulled three times, the item may not be brought before the council again for a one-year period, and must start the procedural process over.
- (c) Once the Metropolitan Area Planning Commission has granted approval, there shall exist a six-month time limit for bringing the matter before the council.

(Ord. No. 09:001, § 1(2.20.10), 1-20-2009)

State law reference— Ordinances, A.C.A. § 14-55-101 et seq.

Sec. 2-94. - Publication reimbursement cost.

- (a) The publication cost shall be set by the finance department at a flat rate to cover costs for the publication of ordinances and notices. These rates may fluctuate based on current publication pricing.

- (b) The publication cost shall be collected by the city collector prior to an an item being placed on the agenda. Failure to pay the publication cost shall result in the item not being placed on the agenda.
- (c) Should an ordinance be denied by the city council, the publication cost shall be reimbursed by the finance department. Reimbursement shall not include public hearing or appeal hearing notices, since these must be published prior to an ordinance being adopted.

(Ord. No. 09:001, § 1(2.20.11), 1-20-2009)

Sec. 2-95. - Internal boards, committees, commissions, and appointments.

(a) *Membership.*

- (1) The only standing internal committee of the city council shall be the nominating and rules committee. The nominating and rules committee shall be made up of aldermen from Wards 1, 2, and 3 on odd-number years and aldermen from Wards 4, 5, and 6 on even-numbered years. The nominating and rules committee shall determine the number of city council committees, their function, and membership of such committees. Any alderman who desires to serve on any particular committee shall so inform the nominating and rules committee. The nominating and rules committee shall, at its discretion, attempt to assign aldermen who have expressed a preference for any particular committee to the committee. The members of each committee shall designate the member who is to serve as chairperson of each committee. In the case of a tie for committee chairperson, the nominating and rules committee shall appoint the chairperson from those nominated by the committee. Any alderman dissatisfied with committee assignments can appeal to the whole city council.
- (2) Ad hoc committees to study special problems and projects of the city may be created by a majority vote of the city council. The mayor and the nominating and rules committee shall recommend to the city council appointees for ad hoc committees. The city council, by majority vote, shall appoint members to ad hoc committees.

(b) *Meetings.*

- (1) All aldermen, representatives of the news media who have requested notification, and all other persons who have requested notification of committee meetings shall be notified of city council committee meetings by the city clerk's office.
 - (2) Committee meetings shall be held when possible at times that allow all members of the committee to attend. In order for a committee to make an official recommendation to the city council, a majority of the committee must agree on that recommendation. Aldermen who are not members of a particular city council committee may participate in the meeting of that committee except for voting on committee recommendations. Minutes of meetings involving the city council shall be the responsibility of the city clerk or his designee. The minutes shall reflect recommendations of the committee to the full council.
- (c) *Quorum.* A majority of the committee shall be necessary to constitute a quorum to do business. The concurring vote of a majority of those attending a meeting, providing a quorum is present, shall represent the acts of the committee.
 - (d) *Voting.* Every member present when a question is put to a vote shall vote either "Yea" or "Nay", except that a member may abstain from voting if he has not participated in the preceding discussion of the question and that member briefly states the reason for the abstention. Pursuant to "Robert's Rules of Order", in the absence of a recommendation by the "Procedural Rules for Municipal Officials" the chairperson of the committee will not vote unless his vote is necessary to break a tie.
 - (e) *City council representation on other governmental groups.* When it is necessary to appoint an alderman to an external board, commission, or committee, selection of that alderman shall be made by the mayor and a majority vote of the city council shall be required for confirmation of the mayor's appointment.

(Ord. No. 09:001, § 1(2.20.12), 1-20-2009)

Sec. 2-96. - Mayor relationship.

- (a) *Defining authority.* In exercising its management responsibilities, the city council reserves its authority to approve policy which represents broad statements of its intentions, approves plans and programs, and delegate authority of administration to the mayor, except those rights that are by law conferred upon or reserved to the city council. The city council delegates the authority of the mayor to hire capable personnel within an approved wage and salary policy, to plan and establish schedules and to train, supervise and terminate employees. Per A.C.A. § 14-42-110, the city council reserves the authority to review the hiring or removal of a department head and may overturn the hiring or removal of a department head by the mayor upon two-thirds majority of the total membership of the city council.
- (b) *Definition of responsibilities.*
 - (1) The mayor has the principal responsibility for directing the operations of the city government and for advising and assisting the city council in its deliberations. In connection with the latter responsibility, the city council expects and requests the mayor to furnish it with whatever data, information, and material it may need to properly carry out its functions in an informed manner.
 - (2) The mayor also has the principal responsibility to ensure that the city's administrative officers and department heads understand and obey all local, state, and federal laws pertaining to the city's operations, and when a violation of any law is discovered, that immediate disclosure is made to the city council and proper and adequate disciplinary measures are taken against the responsible employee or employees.
 - (3) The city council also expects the mayor to abide by the city's Code of Ethics, the city council also expects the mayor to require the city's administrative officers and department heads to abide by the city's Code of Ethics.
- (c) *City council/mayor cooperation.*
 - (1) Efficient management of the city can exist only through mutual understanding and complete cooperation between the city council and the mayor. The mayor's performance cannot be of the best unless he is given the latitude to exercise independent judgment in executing policies of the city council. The city council acknowledges that obligation and gives the mayor the latitude of judgment and discretion, and expects faithful performance in carrying out the policies of the city council.
 - (2) It shall be understood that administrative authority for the management of the city rests with the mayor. Members of the city council should refrain, as individuals, from giving specific direction or instruction to city personnel pertaining to the discharge of assigned duties, however, open communication between aldermen and city employees is encouraged and expected to guarantee sound decisions based upon the free flow of information.

(Ord. No. 09:001, § 1(2.20.13), 1-20-2009)

Sec. 2-97. - Citizen committees.

- (a) *Authorization by the city council.* The city council may authorize citizen advisory boards, committees, and commissions to assist the city council in discharging its responsibilities more effectively. Authorization will be made by a majority vote of the city council.
- (b) *Selection guidelines.* The mayor shall have the responsibility of coordinating the selection process of members for the citizen advisory groups prior to the final city council approval. The objectives of the selection process shall be as follows:
 - (1) To provide a broad cross section of qualified individuals for service on the appointed bodies;
 - (2) To provide an opportunity for participation in city affairs by interested citizens; and
 - (3) To provide a means for involvement of all city councilmembers in the selection process.

The city council will act officially on all appointments in public session.

- (c) *Vacancy policy for boards and commissions.* In cases in which this division is not in conflict with state or federal law, any city board or commission position which term has expired for a period longer than 60 days shall be declared vacant.

(Ord. No. 09:001, § 1(2.20.15), 1-20-2009)

Sec. 2-98. - Code of ethics.

- (a) *General.* Aldermen, other elected city officials and the city's administrative officers and department heads occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly must be subject to the scrutiny of public opinion both to the legality and to the propriety of such transactions.
- (b) *Conflict of interest.* Alderman, other elected officials and the city's administrative officers and department heads shall refrain from making use of special knowledge or information gained by virtue of their elected office or position before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors, and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing herein, however, shall serve to deny any of the above-mentioned of their legal rights and privileges available to all citizens of the city.
- (c) *Responsibility to all citizens.* Aldermen, other elected officials and the city's administrative officers and department heads shall conduct themselves so as to bring credit upon the city as a whole and so as to set an example of good ethical conduct for all citizens of the community. Aldermen, other elected officials and the city's administrative officers and department heads shall bear in mind at all times their responsibility to all Jonesboro citizens, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, sex, or the economic or social position of individual citizens.
- (d) *Responsibility to disclose.*
 - (1) In an effort to allow the public full knowledge of financial and personal interests, aldermen and other elected city officials are expected to file an annual statement of financial interest as required in A.C.A. § 21-8-701. Aldermen, other elected officials and the city's administrative officers and department heads are also expected to disclose all real estate holdings within the city limits and any business or financial interest which could affect or be affected by decisions of the city council, other elected city officials or the city's administrative officers or department heads. This language shall be interpreted to include real estate holdings and business or financial interests held by the individual, his spouse, children, parents or siblings or beneficial interests in a partnership, corporation or any other legal entity.
 - (2) Aldermen, other elected officials and the city's administrative officers and department heads shall also disclose any familial relationships with any other city official or employee which could affect or be affected by decisions of the city council, the mayor, a city administrative officer or department head.
 - (3) The financial and familial disclosures should be made in writing and filed with the city clerk before February 1 of each year; any changes in disclosure information during the year must be filed with the city clerk's office within 30 days of such change.
 - (4) No non-elected city officials and employees are required to include his home address on disclosure documents, per Act 213 of 2003 (A.C.A. § 25-19-105).

(Ord. No. 09:001, § 1(2.20.14), 1-20-2009)

Secs. 2-99—2-122. - Reserved.



Legislation Details (With Text)

File #: ORD-15:056 **Version:** 1 **Name:** Rezoning at 2401 Dan Avenue
Type: Ordinance **Status:** Second Reading
File created: 10/15/2015 **In control:** City Council
On agenda: **Final action:**

Title: AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL TO I-1 INDUSTRIAL FOR PROPERTY LOCATED AT 2401 DAN AVE. AS REQUESTED BY CITY WATER & LIGHT AND THE CITY OF JONESBORO, ARKANSAS.

Sponsors:

Indexes: Rezoning

Code sections:

Attachments: [TRACT A PLAT](#)
[TRACT B PLAT](#)
[Site Building Schematic Drawings](#)
[MAPC Report](#)

Date	Ver.	Action By	Action	Result
10/20/2015	1	City Council		

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL TO I-1 INDUSTRIAL FOR PROPERTY LOCATED AT 2401 DAN AVE. AS REQUESTED BY CITY WATER & LIGHT AND THE CITY OF JONESBORO, ARKANSAS.
 BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION I: CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM (R-1) SINGLE FAMILY RESIDENTIAL DISTRICT TO I-1 INDUSTRIAL DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:

TRACT A:

A PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND A PART OF THE NORTHWEST QUARTER OF SECTION 14, ALL LYING IN TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 88°50'18" EAST, ALONG THE NORTH LINE OF SAID SECTION 14, 30.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LACY ROAD; THENCE NORTH 00°36'24" EAST, ALONG SAID EASTERLY RIGHT-OF-

WAY LINE, 536.88 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF UNITED STATES HIGHWAY NO. 63B (DAN AVENUE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75°26'01" EAST, 394.51 FEET; SOUTH 62°47'15" EAST, 84.05 FEET; SOUTH 75°08'45" EAST, 66.43 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75°08'45" EAST, 22.44 FEET; SOUTH 83°57'24" EAST, 130.56 FEET; SOUTH 75°06'41" EAST, 53.10 FEET; THENCE SOUTH 14°53'19" WEST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, 20.41 FEET; THENCE SOUTH 01°09'52" WEST, 952.15 FEET; THENCE SOUTH 75°22'43" EAST, 606.51 FEET; THENCE SOUTH 00°23'59" WEST, 1131.82 FEET; THENCE SOUTH 73°11'33" WEST, 782.30 FEET TO THE CENTERLINE OF AN EXISTING DITCH; THENCE WITH THE MEANDERINGS OF SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES: NORTH 02°41'30" EAST, 516.29 FEET; NORTH 01°52'01" EAST, 735.65 FEET; NORTH 01°09'52" EAST, 722.44 FEET; NORTH 07°28'43" WEST, 547.31 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 25.20 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT B:

A PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND A PART OF THE NORTHWEST QUARTER OF SECTION 14, ALL LYING IN TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 88°50'18" EAST, ALONG THE NORTH LINE OF SAID SECTION 14, 30.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LACY ROAD; THENCE NORTH 00°36'24" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 536.88 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF UNITED STATES HIGHWAY NO. 63B (DAN AVENUE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75°26'01" EAST, 394.51 FEET; SOUTH 62°47'15" EAST, 84.05 FEET; SOUTH 75°08'45" EAST, 88.87 FEET; SOUTH 83°57'24" EAST, 130.56 FEET; SOUTH 75°06'41" EAST, 53.10 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 75°06'41" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1768.31 FEET; THENCE SOUTH 14°23'18" WEST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, 938.33 FEET; THENCE NORTH 75°22'43" WEST, 684.10 FEET; THENCE SOUTH 00°08'18" WEST, 988.50 FEET; THENCE SOUTH 73°11'33" WEST, 268.58 FEET; THENCE NORTH 00°23'59" EAST, 1131.82 FEET; THENCE NORTH 75°22'43" WEST, 606.51 FEET; THENCE NORTH 01°09'52" EAST, 952.15 FEET; NORTH 14°53'19" EAST, 20.41 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 42.13 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION II: THE REQUESTED REZONING CLASSIFICATION IS INDUSTRIAL DISTRICT AND IS SUBJECT TO THE CONDITION THAT A FINAL SITE PLAN SHALL BE REQUIRED AND APPROVED BY THE MAPC.

SECTION III: THE CITY CLERK IS HEREBY DIRECTED TO AMEND THE OFFICIAL ZONING DISTRICT BOUNDARY MAP OF THE CITY OF JONESBORO, ARKANSAS, IN SO FAR AS IT

RELATES TO THE LAND DESCRIBED HEREIN ABOVE SO THAT THE ZONING CLASSIFICATION OF SAID LANDS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.

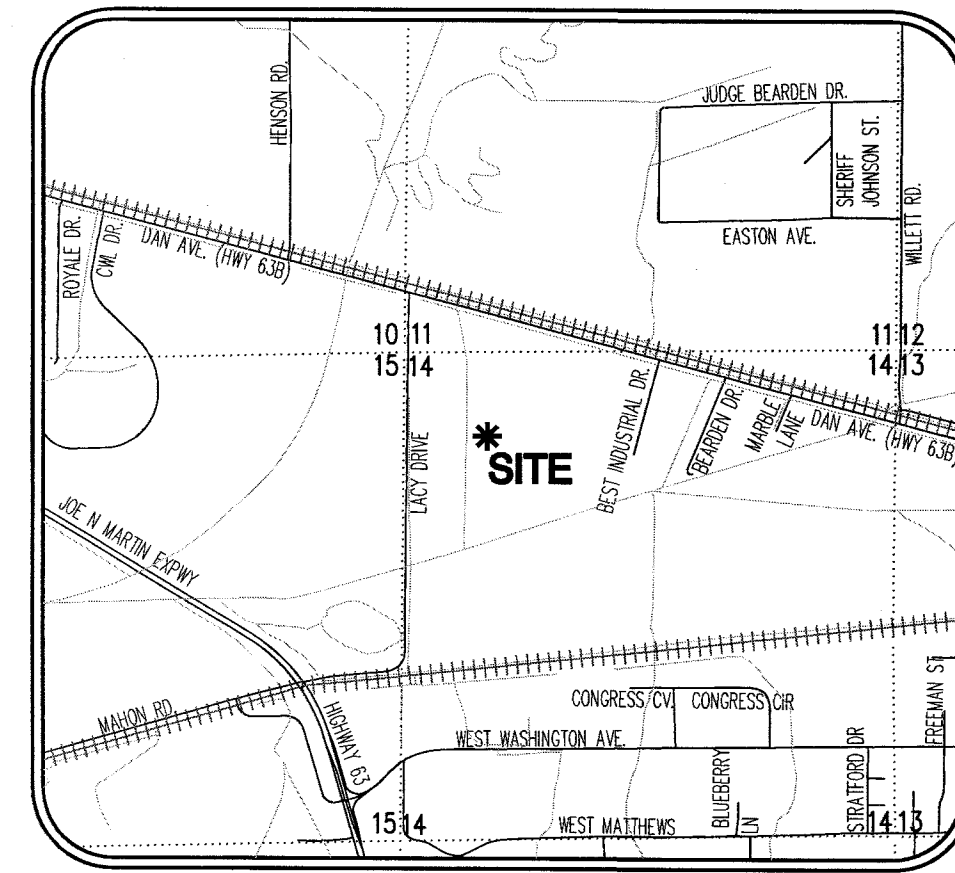
PLAT OF SURVEY

A PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND A PART OF THE NORTHWEST QUARTER OF SECTION 14, ALL LYING IN TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

Haywood, Kenward, Bare AND ASSOCIATES, INC.
Civil Engineering, Surveying & Planning Services

1801 Latourette Drive, Jonesboro, AR, 72404
TEL. 870-932-2019 FAX 870-932-1076

BASIS OF BEARING: ARKANSAS STATE PLANE GRID NORTH ZONE (0300)



VICINITY MAP
(NOT TO SCALE)

LINE TABLE:

LINE#	DIRECTION	LENGTH
L1	N88°50'18"E	30.01'
L2	S62°47'15"E	84.05'
L3	S75°08'45"E	66.43'
L4	S75°08'45"E	22.44'
L5	S83°57'24"E	130.56'
L6	S75°06'41"E	53.10'
L7	S14°53'19"W	20.41'

SURVEYOR'S NOTES:

- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
- THE FOLLOWING DOCUMENTS WERE USED IN THE CONSTRUCTION OF THIS SURVEY:
 - RIGHT OF WAY PLANS, ARKANSAS STATE HIGHWAY COMMISSION, JOB 10046.
 - CERTIFICATE OF LAND CORNER RESTORATION, BY PATRICK W. LEMLEY, P.S. 1549, RECORDED IN BOOK I, PAGE 171, DATED MARCH, 30, 2007.
 - QUITCLAIM DEED, FRANCES WOOD SALMONS TO FRANCES SALMONS REVOCABLE TRUST, RECORDED IN BOOK 610, PAGE 228-230, DATED JULY 27, 2001.
 - WARRANTY DEED, A.L. SALMONS JR. AND RUTH ORENE SALMONS, TO ARKANSAS ELECTRIC COOPERATIVE CORPORATION, RECORDED IN BOOK 163, PAGE 28, DATED JULY 30, 1965.
 - PLAT OF SURVEY, BY TERRY G. BARE, P.S. 1048, RECORDED IN BOOK H, PAGE 32, DATED SEPTEMBER 26, 1985.
 - PLAT OF SURVEY, BY TERRY G. BARE, P.S. 1048, FILED IN HKB FILE 57-111, DATED MAY 18, 1998.
 - PLAT OF SURVEY, BY MICHAEL A. DANIELS, P.S. 1563, FILED IN HKB FILE 21-36, DATED MARCH 18, 2009.
 - PLAT OF SURVEY, BY MICHAEL A. DANIELS, P.S. 1563, FILED IN HKB FILE 21-37, DATED APRIL 15, 2009.
- A PORTION OF THE SUBJECT PROPERTY LIES IN THE 100-YEAR SPECIAL FLOOD HAZARD ZONE "AE" AND THE FLOODWAY (ZONE "AE" B.F.E. DETERMINED) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP PANEL NO. 05031C0043C, EFFECTIVE DATE SEPTEMBER 27, 1991.
- SUBJECT PROPERTY IS ZONED R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT.
- BUILDING SETBACKS FOR R-1 ZONING:
 - STREET SETBACK - 25'
 - INTERIOR SIDE SETBACK - 7.5'
 - REAR SETBACK - 25'
 - MAXIMUM LOT COVERAGE - 35%
 - MAXIMUM HEIGHT LIMITATION - 35'
- FIELD WORK WAS COMPLETED ON JUNE 30, 2015.

CERTIFICATE OF SURVEY:

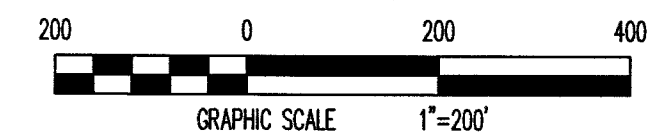
THIS IS TO CERTIFY THAT HAYWOOD, KENWARD, BARE AND ASSOCIATES, INC., PROFESSIONAL LAND SURVEYORS, HAVE SURVEYED THE FOLLOWING DESCRIBED PARCEL OF LAND:

A PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

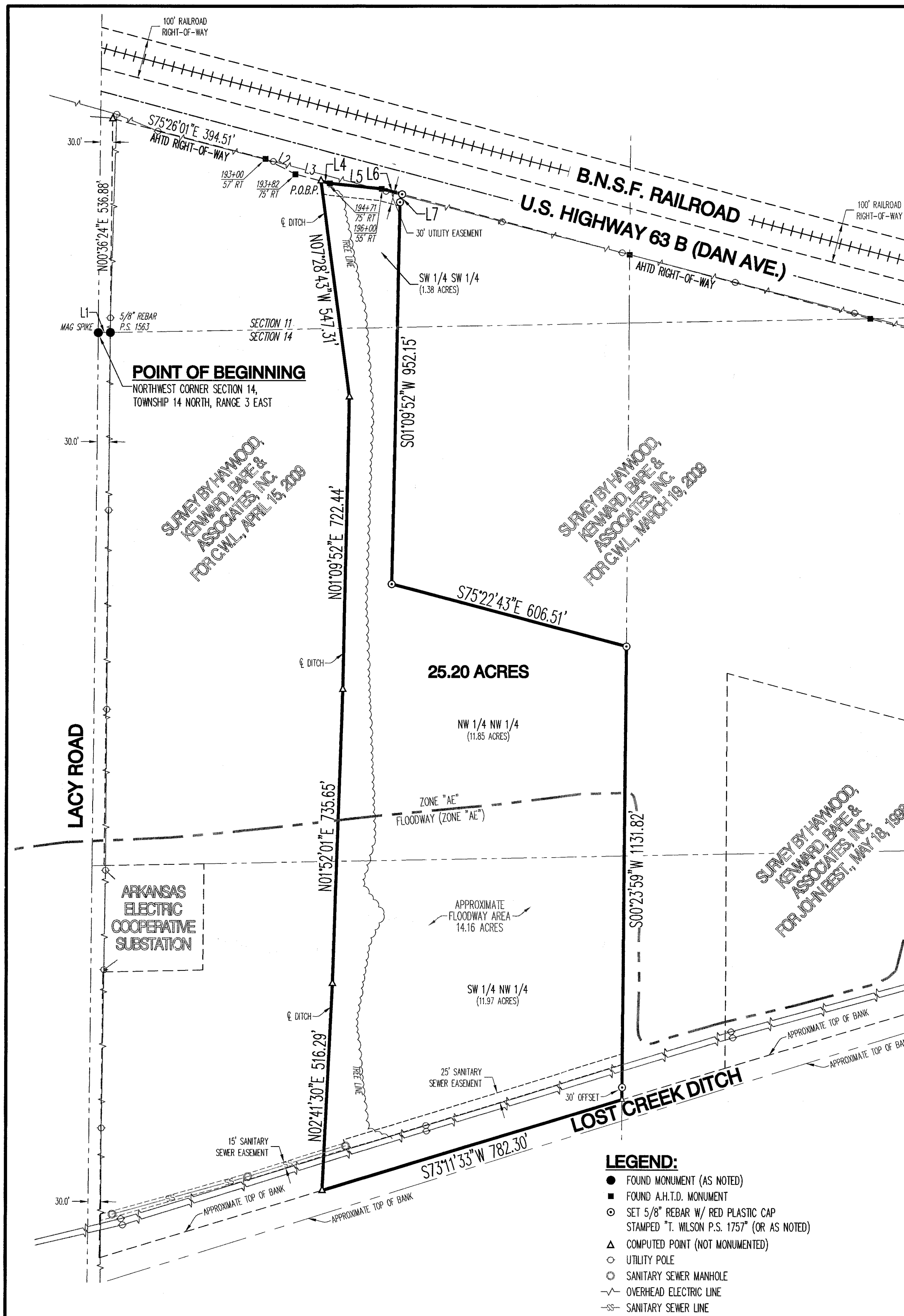
BEGINNING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 88°50'18" EAST, ALONG THE NORTH LINE OF SAID SECTION 14, 30.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LACY ROAD; THENCE NORTH 00°36'24" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 536.88 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF UNITED STATES HIGHWAY NO. 63B (DAN AVENUE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75°26'01" EAST, 394.51 FEET; SOUTH 62°47'15" EAST, 84.05 FEET; SOUTH 75°08'45" EAST, 66.43 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75°08'45" EAST, 22.44 FEET; SOUTH 83°57'24" EAST, 130.56 FEET; SOUTH 75°06'41" EAST, 53.10 FEET; THENCE SOUTH 14°53'19" WEST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, 20.41 FEET; THENCE SOUTH 01°09'52" WEST, 952.15 FEET; THENCE SOUTH 75°22'43" EAST, 606.51 FEET; THENCE SOUTH 00°23'59" WEST, 1131.82 FEET; THENCE SOUTH 73°11'33" WEST, 782.30 FEET TO THE CENTERLINE OF AN EXISTING DITCH; THENCE WITH THE MEANDERINGS OF SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES: NORTH 02°41'30" EAST, 516.29 FEET; NORTH 01°52'01" EAST, 735.65 FEET; NORTH 01°09'52" EAST, 722.44 FEET; NORTH 07°28'43" WEST, 547.31 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 25.20 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- FOUND A.H.T.D. MONUMENT
- SET 5/8" REBAR W/ RED PLASTIC CAP STAMPED "T. WILSON P.S. 1757" (OR AS NOTED)
- △ COMPUTED POINT (NOT MONUMENTED)
- UTILITY POLE
- SANITARY SEWER MANHOLE
- OVERHEAD ELECTRIC LINE
- SANITARY SEWER LINE



PLAT OF SURVEY



REZONING APPLICATION

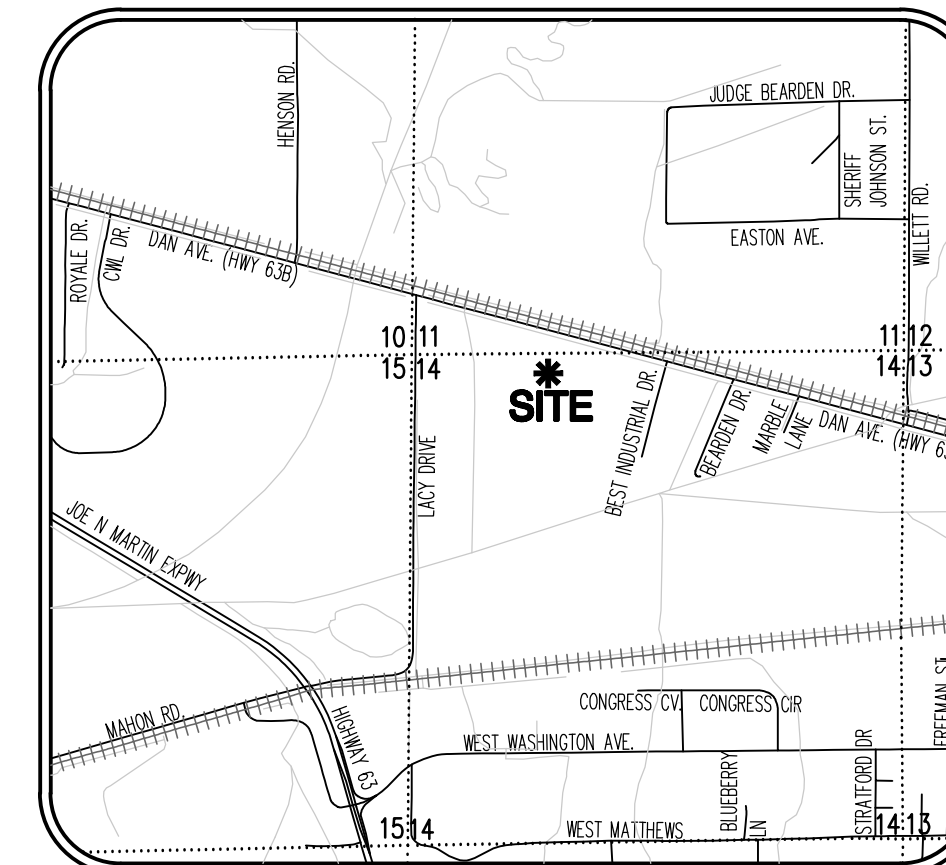
A PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND A PART OF THE NORTHWEST QUARTER OF SECTION 14, ALL LYING IN TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

**Haywood, Kenward, Bare
AND ASSOCIATES, INC.**
Civil Engineering, Surveying & Planning Services

1801 Latourette Drive, Jonesboro, AR, 72404
TEL: 870-932-2019 FAX: 870-932-1076

LINE TABLE:

LINE#	DIRECTION	LENGTH
L1	N88°50'18"E	30.01'
L2	S62°47'15"E	84.05'
L3	S75°08'45"E	88.87'
L4	S83°57'24"E	130.56'
L5	S75°06'41"E	53.10'
L6	N14°53'19"E	20.41'



VICINITY MAP
(NOT TO SCALE)

SURVEYOR'S NOTES:

- HAYWOOD, KENWARD, BARE & ASSOCIATES, INC., HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE. **SUBJECT TO AN "ON-THE-GROUND" SURVEY TO VERIFY ANY AND ALL DIMENSIONS OF THE PROPERTY SHOWN.**
- THE FOLLOWING DOCUMENTS WERE USED IN THE CONSTRUCTION OF THIS COMPILATION MAP:
 - RIGHT OF WAY PLANS, ARKANSAS STATE HIGHWAY COMMISSION, JOB 10046.
 - CERTIFICATE OF LAND CORNER RESTORATION, BY PATRICK W. LEMLEY, P.S. 1549, RECORDED IN BOOK I, PAGE 171, DATED MARCH, 30, 2007.
 - QUITCLAIM DEED, FRANCES WOOD SALMONS TO FRANCES SALMONS REVOCABLE TRUST, RECORDED IN BOOK 610, PAGE 228-230, DATED JULY 27, 2001.
 - WARRANTY DEED, A.L. SALMONS JR. AND RUTH ORENE SALMONS, TO ARKANSAS ELECTRIC COOPERATIVE CORPORATION, RECORDED IN BOOK 163, PAGE 28, DATED JULY 30, 1965.
 - PLAT OF SURVEY, BY TERRY G. BARE, P.S. 1048, RECORDED IN BOOK H, PAGE 32, DATED SEPTEMBER 26, 1985.
 - PLAT OF SURVEY, BY TERRY G. BARE, P.S. 1048, FILED IN HKB FILE 57-111, DATED MAY 18, 1988.
 - PLAT OF SURVEY, BY MICHAEL A. DANIELS, P.S. 1563, FILED IN HKB FILE 21-36, DATED MARCH 18, 2009.
 - PLAT OF SURVEY, BY MICHAEL A. DANIELS, P.S. 1563, FILED IN HKB FILE 21-37, DATED APRIL 15, 2009.
- SUBJECT PROPERTY IS ZONED R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT.
- BUILDING SETBACKS FOR R-1 ZONING:
 - STREET SETBACK - 25'
 - INTERIOR SIDE SETBACK - 7.5'
 - REAR SETBACK - 25'
 - MAXIMUM LOT COVERAGE - 35%
 - MAXIMUM HEIGHT LIMITATION - 35'

LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND A PART OF THE NORTHWEST QUARTER OF SECTION 14, ALL LYING IN TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 88°50'18" EAST, ALONG THE NORTH LINE OF SAID SECTION 14, 30.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LACY ROAD; THENCE NORTH 00°36'24" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 536.88 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF UNITED STATES HIGHWAY NO. 63B (DAN AVENUE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75°26'01" EAST, 394.51 FEET; SOUTH 62°47'15" EAST, 84.05 FEET; SOUTH 75°08'45" EAST, 88.87 FEET; SOUTH 83°57'24" EAST, 130.56 FEET; SOUTH 75°06'41" EAST, 53.10 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 75°06'41" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1768.31 FEET; THENCE SOUTH 14°23'18" WEST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, 938.33 FEET; THENCE NORTH 75°22'43" WEST, 684.10 FEET; THENCE SOUTH 00°08'18" WEST, 988.50 FEET; THENCE SOUTH 73°11'33" WEST, 268.58 FEET; THENCE NORTH 00°23'59" EAST, 1131.82 FEET; THENCE NORTH 75°22'43" WEST, 606.51 FEET; THENCE NORTH 01°09'52" EAST, 952.15 FEET; NORTH 14°53'19" EAST, 20.41 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING 42.13 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

OWNERS CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND I HEREBY REQUEST A REZONING FROM: (R-1) SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO (I-1) LIMITED INDUSTRIAL DISTRICT, LIMITED USE OVERLAY

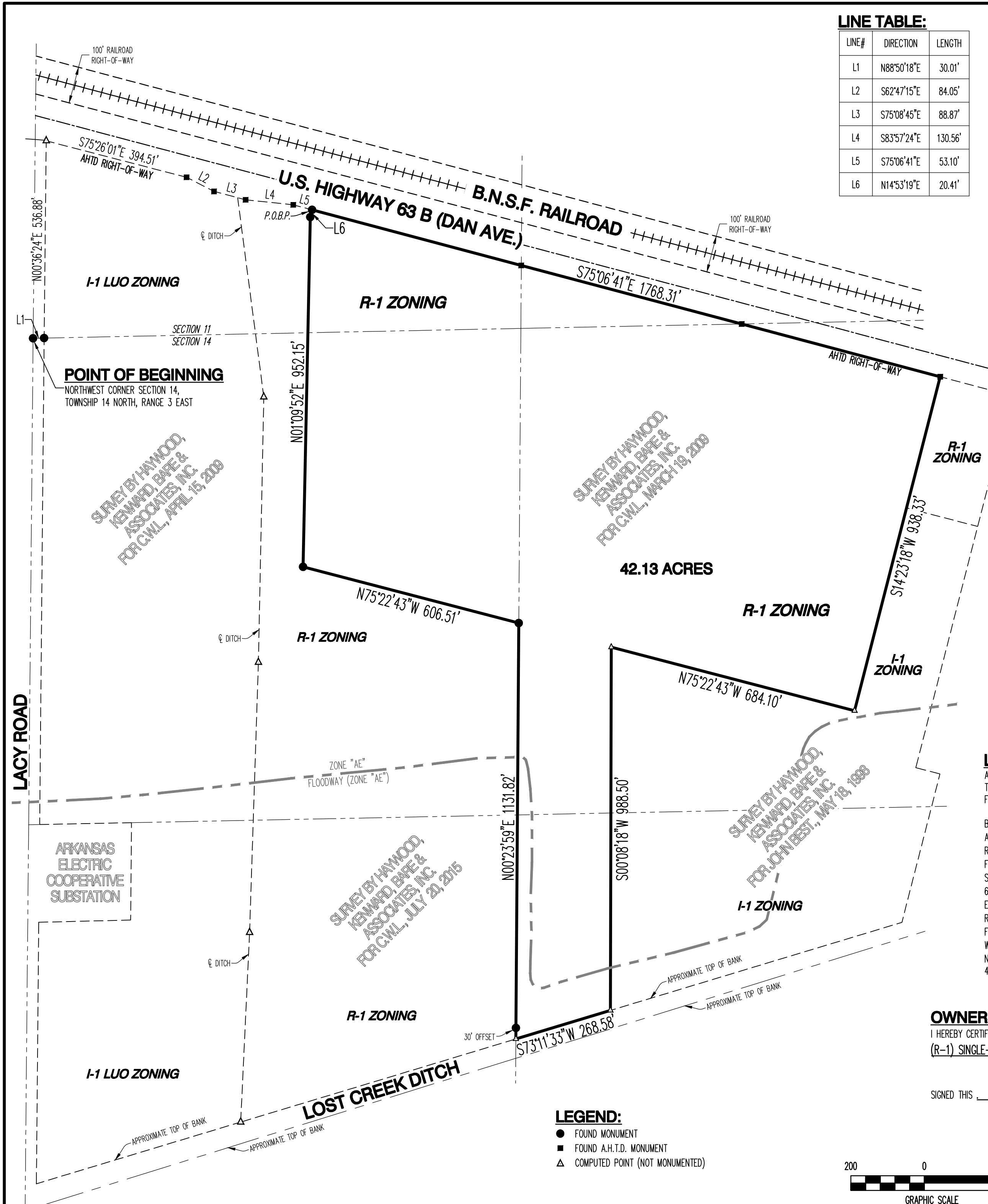
SIGNED THIS _____ DAY OF _____, 2015.

LEGEND:

- FOUND MONUMENT
- FOUND A.H.T.D. MONUMENT
- △ COMPUTED POINT (NOT MONUMENTED)



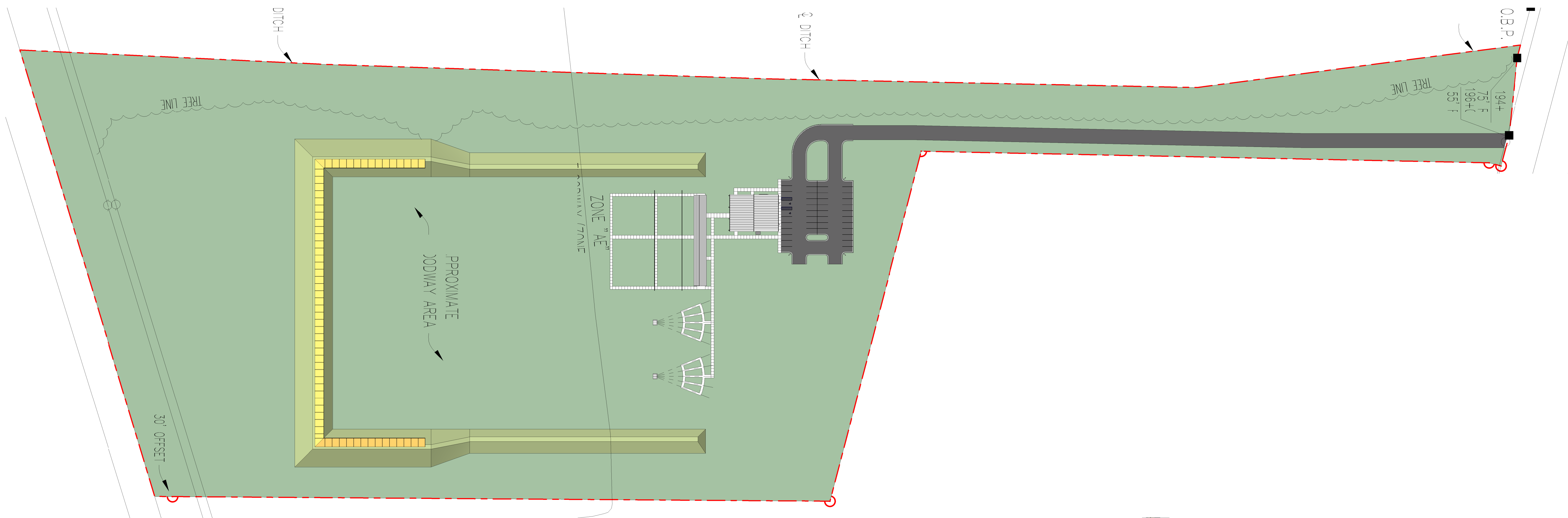
REZONING APPLICATION



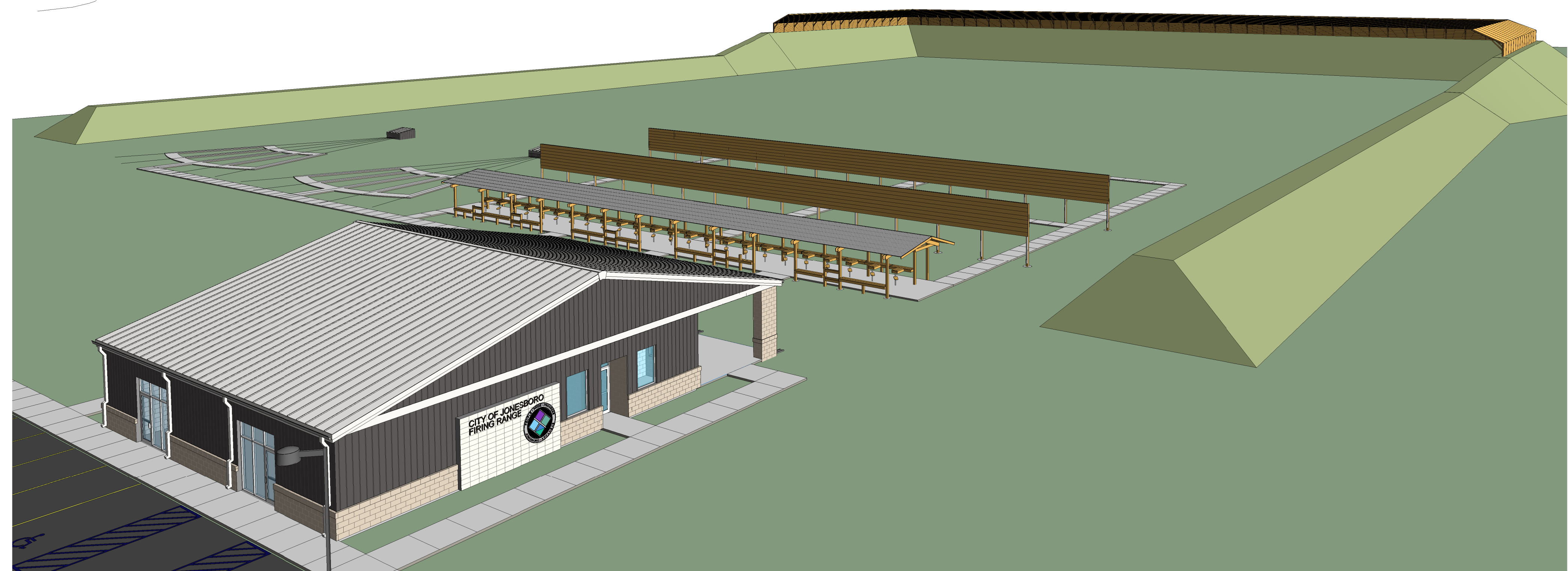
BASIS OF BEARING: ARKANSAS STATE GRID NORTH ZONE (0301)



Haywood, Kenward, Bare, and Associates, Inc		
CLIENT: CWL		
COPYRIGHT 2015, ALL RIGHTS RESERVED		
REVISIONS		
DATE	BY	DESCRIPTION
PROJECT NO. C051-0016-12		
DRAWN BY JJN	CHECKED BY TGB	
SHEET	SCALE 1" = 200'	
DATE 07/28/15	DRAWING NO. 57-381	



overall site plan
 SCALE: 1" = 80'-0"

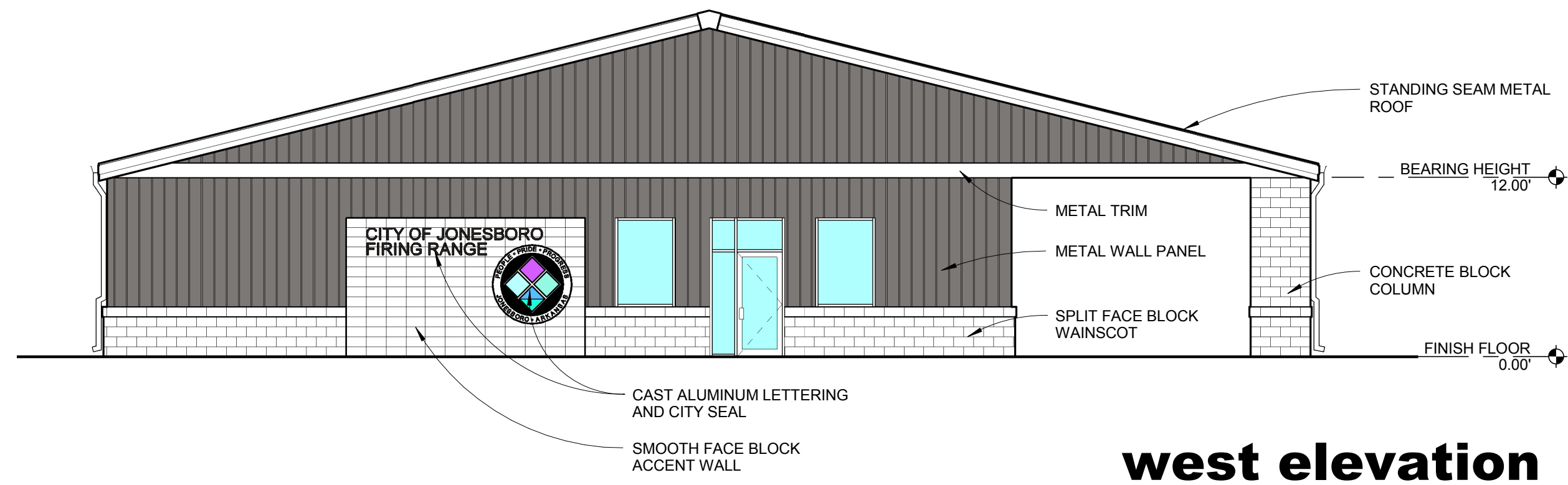


view from northwest

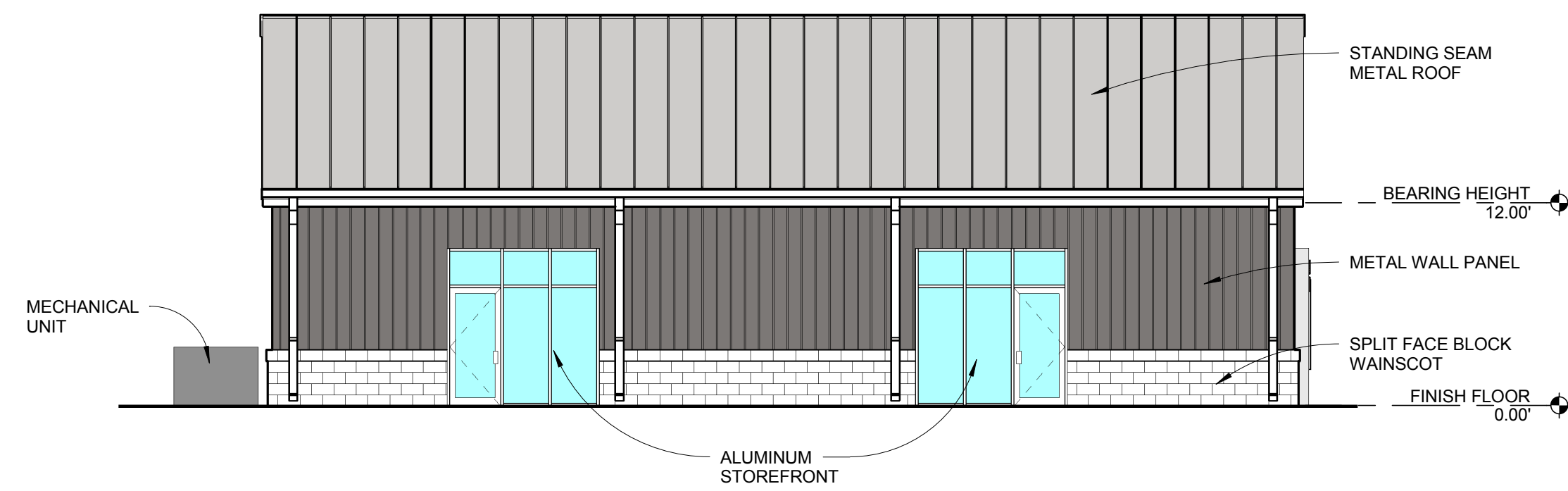


Proposed Firing Range Facility
City of Jonesboro
 Jonesboro, Arkansas

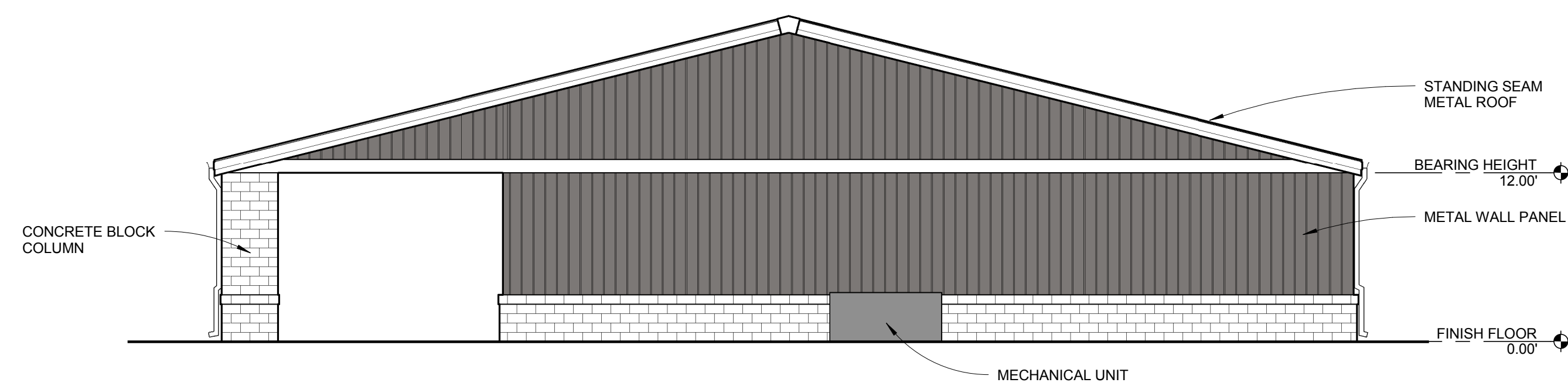




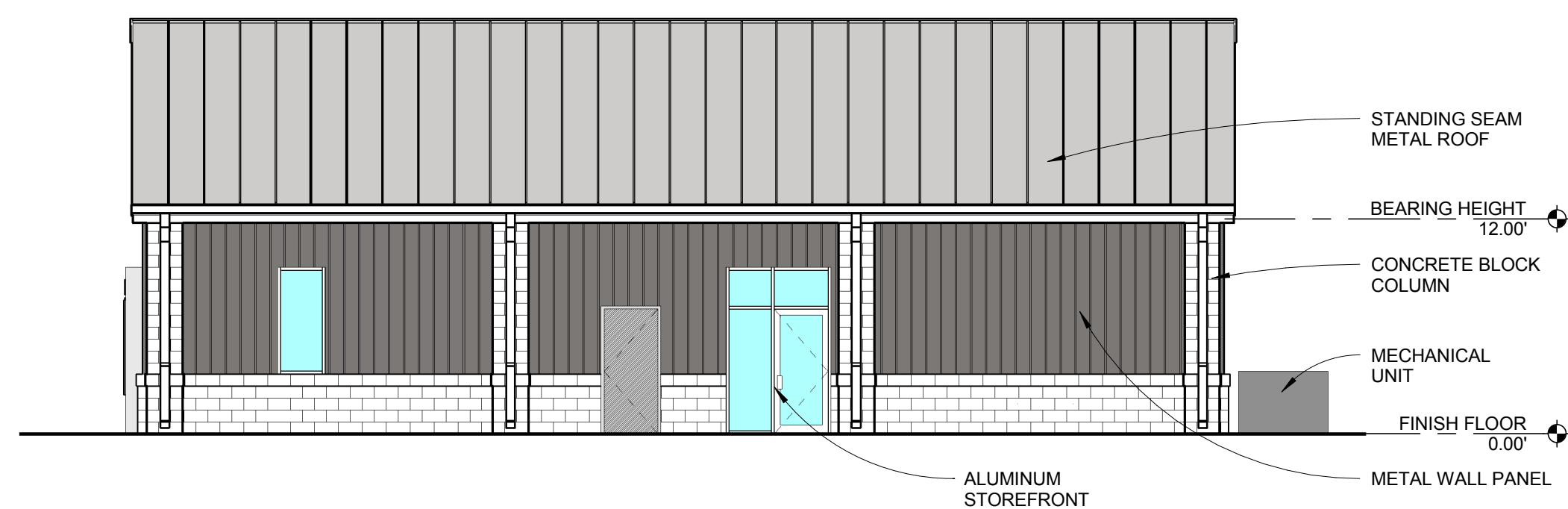
west elevation
SCALE: 1/8" = 1'-0"



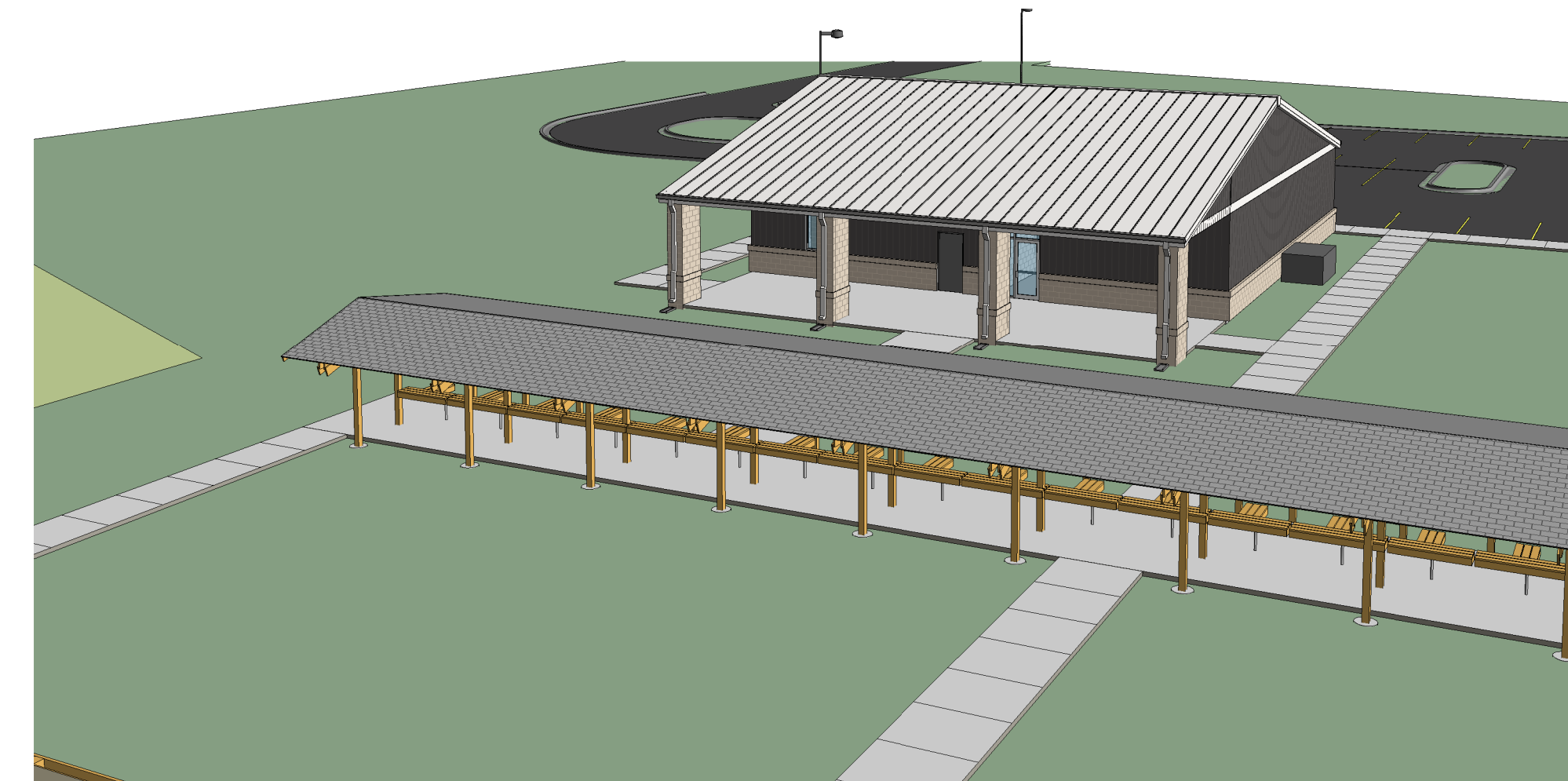
north elevation
SCALE: 1/8" = 1'-0"



east elevation
SCALE: 1/8" = 1'-0"



south elevation
SCALE: 1/8" = 1'-0"



view from southeast



n floor plan
SCALE: 1/8" = 1'-0" 3,600 SQ. FEET



Proposed Firing Range Facility
City of Jonesboro
Jonesboro, Arkansas



City of Jonesboro City Council
Staff Report – RZ 15-15: 2401 Dan Ave. Rezoning
Municipal Center - 300 S. Church St.
For Consideration by the Council on October 19, 2015

REQUEST: To consider a rezoning of two (2) tracts of land containing 67.33 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC for a rezoning from “R-1” Single Family residence to “I-1” Industrial Use.

**APPLICANTS/
OWNER:** **City of Jonesboro, 300 S. Church St.; City Water & Light, 400 E. Monroe.**

LOCATION: 2401 Dan Ave.; South Side of Dan Ave. between Lacy Dr. & Best Industrial Dr.

**SITE
DESCRIPTION:** **Tract Size:** Approx. 25.20 Acres +/- COJ Property; 42.13 Acres +/- CWL Property.

Street Frontage: 206.1 ft. along Dan Ave. (COJ)

1817 along Dan Ave. (CWL).

Topography: Undeveloped flat.

Existing Development: Vacant/Floodplain Zone AE/Floodway; Vacant residential/agricultural land/crop pasture.

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Vacant residential/agricultural land/crop pasture
South	R-1 Vacant residential/agricultural land/crop pasture
East	I-1 Industrial Vacant Land/Pallet Company
West	I-1 LUO, City Public Works Service Facility/ Jets Facility

HISTORY: None.

ZONING ANALYSIS

City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN FUTURE LAND USE MAP

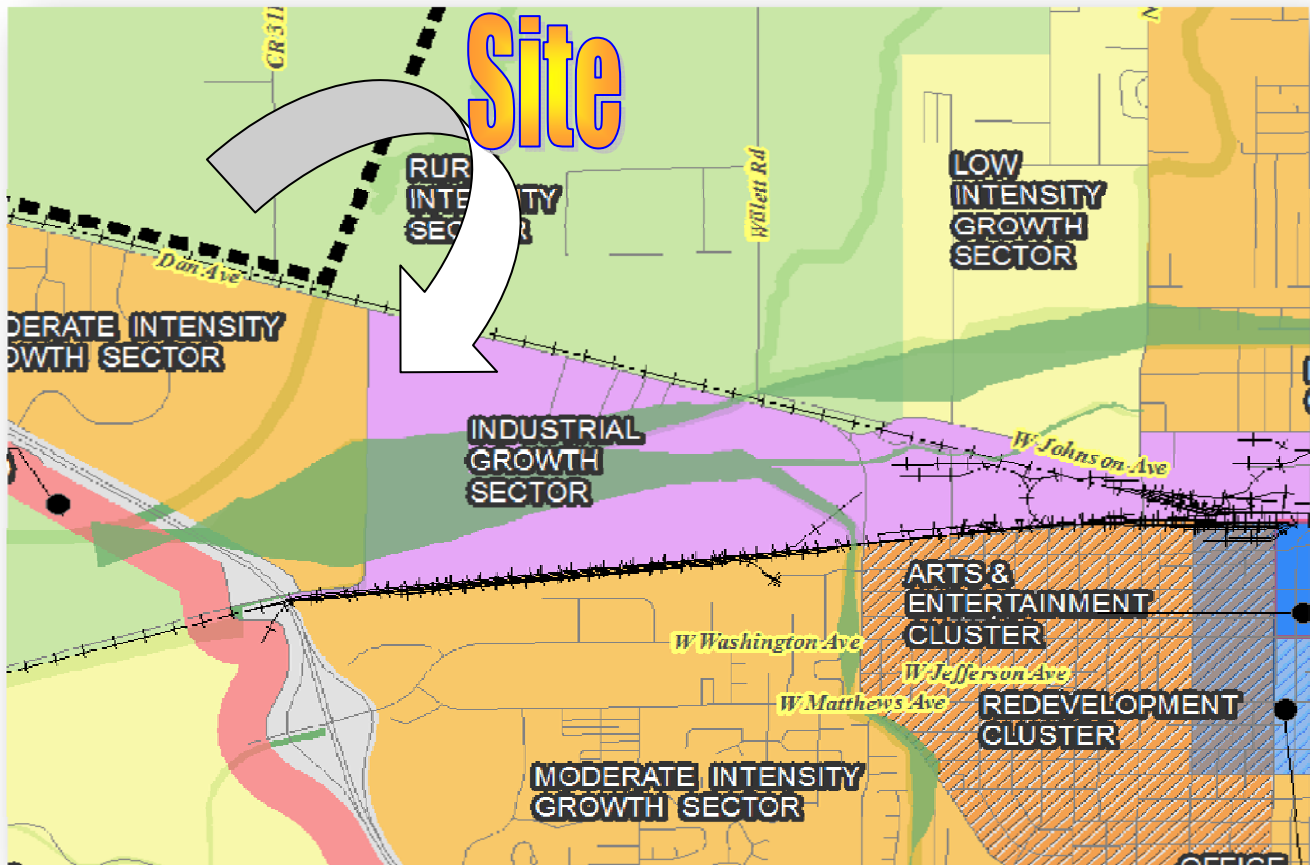
The Current/Future Land Use Map recommends this location as Area is recommended as Industrial Growth Sector. The proposed rezoning is consistent with the adopted Land Use Plan.

Industrial Defined:

Industrial uses include those considered “heavy,” such as large-scale manufacturing and production concerns, including assembly and processing, regional warehousing and distribution, bulk storage and utilities. These areas are located in close proximity to the major transportation corridors, and should generally be buffered from surrounding development by transitional uses or landscape areas that increase in size as development intensity increases. Heavy industrial centers may require larger sites because activities are not confined entirely to buildings. Conveyor belts, holding tanks, smoke stacks, or outdoor storage all may be present in a heavy industrial center.

Smaller scale “light” industrial uses include warehousing, storage, limited manufacturing, research and development, laboratories, transportation terminals, and wholesale activities in enclosed facilities without offensive emissions or nuisance.

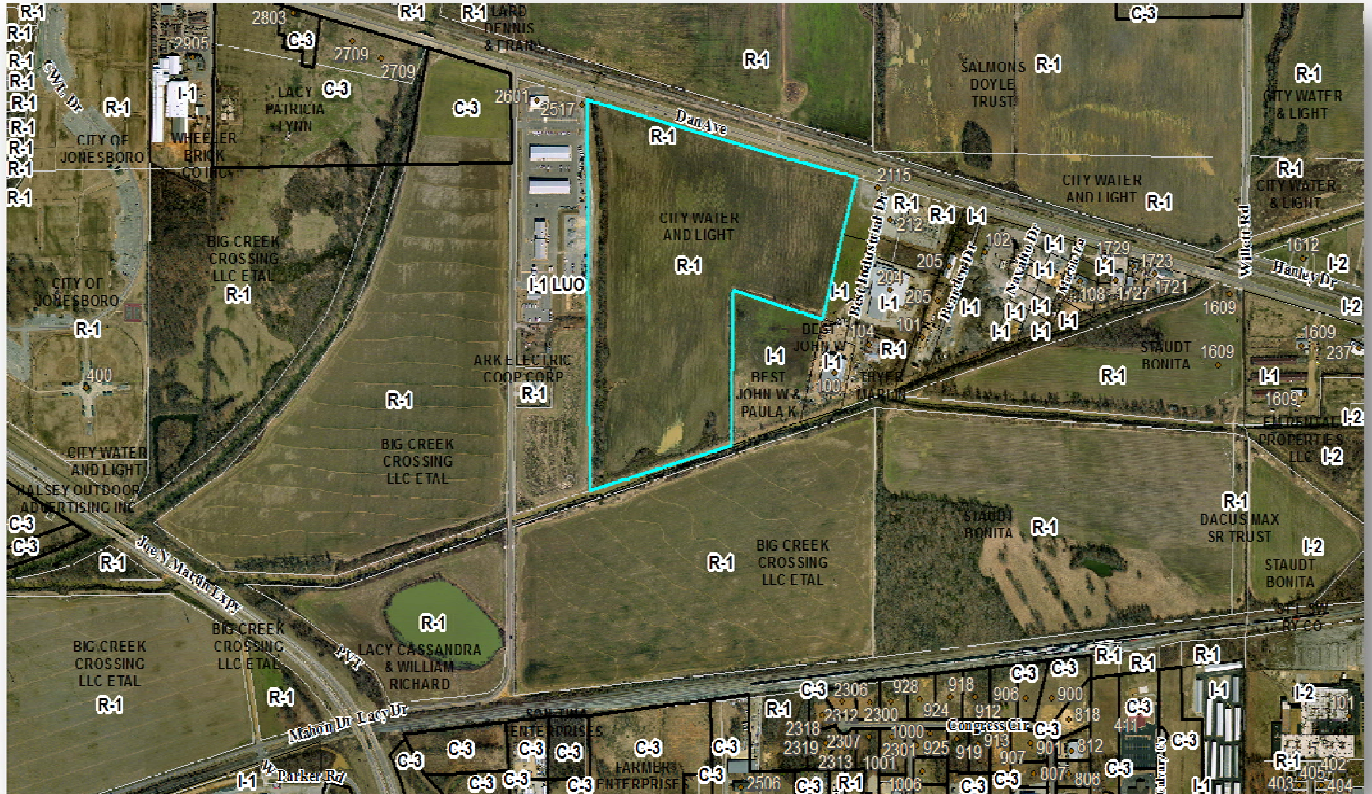
Recommended Use Types Include: Airports, public facilities, university/colleges, schools, prisons, wastewater treatment plants, stadiums, or healthcare campuses.



Adopted 2015 Land Use Map

Master Street Plan/Transportation

The subject site is served by Dan Ave., which on the Master Street Plan is defined as a Principal Arterial; the street right-of-ways must adhere to the Master Street Plan recommendation upon replatting and redevelopment. The recommended right-of-way is 120 ft., 60 ft. from road center.










Aerial/Zoning Map

Chapter 117 of the City Code of Ordinances/Zoning defines Industrial District as follows:

I-1, limited industrial district. This district is to accommodate freight terminals, warehousing, wholesaling, packaging, storage, fabrication, display and such limited manufacturing as does not create a nuisance for residential and commercial neighbors. Certain commercial uses are also permitted. Suitable transportation facilities are a necessity to this district.

Approval Criteria- Chapter 117 - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed I-1 District rezoning is consistent with the Future Land Use Plan, which was categorized as Light Industrial Growth Sector.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117. This area has developed as light industrial due to proximity to rail and development constraints in the area such as floodplain.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area has developed as light industrial due to proximity to rail and development constraints in the area such as floodplain.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is not suitable for single family residential.	
(e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant.	Property is vacant and adjacent to a utility facility and City servicing facility.	
(g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.	Minimal impact if rezoned, will be used as City use property and other land will be controlled by utility company.	

Staff Findings:

Applicant’s Purpose:

The City of Jonesboro and City Water Light recently transferred properties resulting in the two subject property which will accommodate future expansion of City Service areas and other service industrial uses. Potential for noise pollution; however controls can be utilized such as sound barriers/berms. Property is adjacent to a rail line. Positive impact on police services. Regulatory controls are in place for flood management. Future uses will be permitted as of right under the Industrial District or Conditional Use process, subject to MAPC approval of site plans. Staff recommends approval of this case based upon any redevelopment of the subject properties being subject to MAPC review and approval of a final site plan.

Zoning Code Allowable Uses:

Below is the Table of Permitted Uses regarding the requested I-1 Industrial District. Certain commercial uses are permitted as of right- “P”, while others require a Conditional Use- “C” approval by the MAPC:

Uses	I-1	I-2	Uses	I-1	I-2
Manufactured housing unit	C		Utility, major	C	C
Airport or airstrip	C		Utility, minor	P	P
Animal care, general	C		Vehicle and equipment sales	P	
Auditorium or stadium	C		Vehicle repair, general	P	C
Automated teller machine	P	P	Vehicle repair, limited	P	C
Bank or financial institution	P	P	Vocational school	P	C
Carwash	P	C	Warehouse, residential (mini) storage	P	C
Cemetery	P	P	Vehicular and equipment storage yard	P	P
Church	P	P	Asphalt or concrete plant	C	P
College or university	P	P	Auto wrecking or salvage yard	C	P
Communication tower	P	P	Basic industry	C	P
Construction sales and service	P		Freight terminal	P	P
Convenience store	C		Landfill (private)		C
Day care, limited (family home)	C	C	Manufacturing, general	P	P
Day care, general	C	C	Manufacturing, limited	P	P
Entertainment, adult	C	P	Mining or quarrying	C	P
Government service	P	P	Oil and gas drilling		P
Indoor firing range	C	C	Research services	P	P
Library	P	P	Solid waste incinerator	C	C
Medical service/office	P	P	Warehousing	P	P
Museum	C		Welding or machine shop	P	P
Office, general	C		Agriculture, animal	C	P
Parking lot, commercial	C		Agriculture, crop	C	P
Parks and recreation	C	C	Agriculture, farmers market	P	
Pawn shops	C		Agriculture, product sales	C	P
Post office	C		Sign, off-premises*		P
Recreation/entertainment, indoor	C		Retail/service	C	
Recreation/entertainment, outdoor	C		Safety services	P	P
Recreational vehicle park	P		School, elementary, middle and high	P	P
Restaurant, fast-food	P		Service station	P	
Restaurant, general	P		Sign, off-premises*	P	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON OCTOBER 13, 2015

Applicant:

Police Chief Rick Elliott, City of Jonesboro, appeared before the Commission, presenting the case, referring to the site plan presented on Dan Ave..

Chief Elliott: The largest concern is that existing homes are being developed as close as 90 ft. outside the berm that we shoot into, at the existing facility in Craighead Forest Park; so it is imperative that we vacate that complex as soon as possible for the safety of the citizens in that neighborhood.

Chief Elliott: We have acquired the property through a land deal with City Water & Light for the 25-acre plot. We have presented a new concept layout design for the Shooting Complex. The site plan was shown, which demonstrates the berm at 200 yards deep by 250 yards wide. The range will be for general public use on some days, with the back portion having a covered section similar to what is currently used at Jack Cox Scattered Creek, in Paragould. Also, to the left of that we will have dual trap ranges, with a classroom facility shown below on the layout, with a training facility. We are looking at the plans we are at \$3.7 million.

Staff:

Mr. Spriggs gave Staff Summary comments noting consistency is achieved with the Land Use Plan which recommends Industrial Growth Sector. The Master Street Plan will be complied with as well. There are no issues such as adverse impacts due to the design motifs described by the Chief of Police. In terms of the CWL tracts, there are no issues with locating future utility uses. The allowable uses were presented for the MAPC review. Site Plan approval will be required by the MAPC. There were no departmental reports/opposing comments submitted by the reviewing agencies and departments. Mr. Kevan Imboden from CWL was present to answer any questions.

Public Input: None

Commission Action:

Motion was made by Mr. Jerry Reese; Seconded by Mr. Kevin Bailey.

Roll Call Vote: 7-0 Unanimously Approved. Mr. Kelton- Aye; Mrs. Schrantz- Aye; Mr. Scurlock-Aye; Mr. Hoelscher- Aye; Mr. Bailey- Aye; Mr. Reese- Aye; Mr. Perkins- Aye. Mr. Cooper- Absent. Lonnie Roberts was Chair.

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments. Note that this table will be updated at the hearing due to reporting information that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning.	
Streets/Sanitation	No objections to this rezoning.	
Police	Applicant	
Fire Department	No objections to this rezoning.	
MPO	No objections to this rezoning.	
Jets	No objections to this rezoning.	
Utility Companies	CWL is co-applicant	

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 15-15, a request to rezone property from “R-1” Single Family to “I-1” Industrial subject to final site plan approval by the MAPC.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking North on Current Public Works Facility Location



View looking Northeast on Current Public Works Facility Location



View looking South Towards Jets Facility



View looking South on Current Public Works Facility Location



View looking North on Current Public Works Facility Location



View looking Southeast on Lacy Road



View looking Northeast on Lacy Road South of Public Works Facility



View looking East toward Site



View looking South near Public Works Entrance area/ West Property Line of Subject Property



View looking West on Dan Ave. Towards Public Works Facility Entry



View Looking South on Public Works Facility Property



View Looking South at Site From Dan Ave.



View looking West on Dan Ave., Site on Left



View Looking South on Best Industrial Dr.



View Looking West Towards Site from Best Industrial Dr.



View Looking North towards Dan Ave. from Best Industrial Dr.



View Looking West towards Site/Dan Ave. from Best Industrial Dr.



View Looking West towards Site/Dan Ave. from Best Industrial Dr.



View Looking East on Best Industrial Dr.



Legislation Details (With Text)

File #:	ORD-15:028	Version:	1	Name:	Adopting the 2012 International Property Maintenance Code
Type:	Ordinance	Status:		Status:	Held in Council
File created:	5/6/2015	In control:		In control:	Public Safety Council Committee
On agenda:	11/3/2015	Final action:		Final action:	
Title:	AN ORDINANCE ADOPTING BY REFERENCE THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE TO THE JONESBORO CODE OF ORDINANCES WITH RESPECT TO MULTI-FAMILY HOUSING IN THE CITY OF JONESBORO				
Sponsors:	Inspections				
Indexes:	Technical Code				
Code sections:					
Attachments:	Mayor's Statement from June 16, 2015 Letters of Opposition Letters of Support Exterior Maintenance - Landlord's Association				

Date	Ver.	Action By	Action	Result
10/5/2015	1	City Council	Postponed Temporarily	Pass
6/16/2015	1	City Council	Postponed Temporarily	Pass
6/2/2015	1	City Council	Held at one reading	
5/19/2015	1	Public Safety Council Committee	Recommended to Council	Pass

AN ORDINANCE ADOPTING BY REFERENCE THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE TO THE JONESBORO CODE OF ORDINANCES WITH RESPECT TO MULTI-FAMILY HOUSING IN THE CITY OF JONESBORO

WHEREAS, the City of Jonesboro, Arkansas desires to ensure that the City has multi-family housing that is safe and secure for the citizens of Jonesboro; and

WHEREAS, the City of Jonesboro has defined a multi-family dwelling as a dwelling designed for or occupied by three or more families living independently of each other, exclusive of auto or trailer courts or camps, hotels or motels; and

WHEREAS, the City of Jonesboro desires to adopt by reference a certain technical code entitled 2012 International Property Maintenance Code, and all future amendments and/or editions which may follow; and

WHEREAS, the City of Jonesboro desires to apply said code to all multi-family dwellings within the city limits in order to establish and clarify requirements on said dwellings so as to safeguard the life, health, safety of its citizens and the protection of property within the City of Jonesboro, Arkansas.; and

WHEREAS, the City of Jonesboro Inspections Department has reviewed said technical code and advertised for public comment on the adoption of named technical code to the Jonesboro Code of Ordinances; and

WHEREAS, the Public Safety committee has addressed all public comments received and has approved said

technical code and forwarded said code to City Council for adoption; and

WHEREAS, pursuant to ACA 14-55-207, public notice was given of the City's intent to adopt said technical code by reference, advertised that three (3) copies of the document were on file and available for public review and examination in the Office of City Clerk.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION ONE: There is hereby adopted by reference by the City of Jonesboro, Arkansas a certain technical code known as the 2012 International Property Maintenance Code and said code shall be included in the Jonesboro City Code of Ordinances.

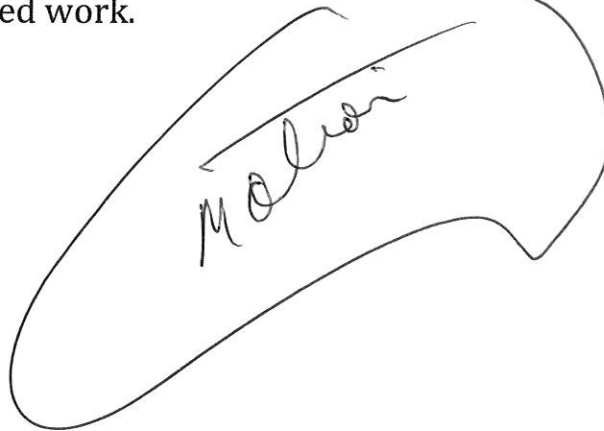
SECTION TWO: That Chapter 105, of the Jonesboro Code of Ordinances entitled Buildings and Building Regulations shall be amended by adding Article 11, entitled the 2012 International Property Maintenance Code.

SECTION THREE: The 2012 International Property Maintenance Code shall govern locally, and that nothing in this ordinance or in the code hereby adopted shall be constructed to affect any existing suit or proceeding, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Since the time this ordinance was introduced we have received a significant amount of feedback. As you know, I was concerned about the ordinance when it was presented to the Public Safety committee and asked that it be postponed at that time.

We feel that this proposed ordinance is lacking in several areas, including specific information about enforcement and administration that needs to be included.

Based on discussions with the City Attorney, staff, and the concerns and questions we received at the public meeting last week, I am respectfully asking the Council to table this ordinance until October 6, 2015. This will give us the time we need to make the changes that are necessary to come back with a good ordinance that addresses the areas we have identified that still need work.



Malen

From: Bob Rees [mailto:RR@magictouchcorp.com]
Sent: Thursday, May 28, 2015 4:40 PM
To: Carol Duncan
Subject: International Property Code

I want you to know that I think this property code being brought up to City Council to be adopted in Jonesboro

Is absolutely terrible. I do not think code enforcement has any business going into a person house or apartment and I know there is nobody now that works in code enforcement that has the education and training to evaluate properties to see if they are in violation of this code.

I was one of about 15 people that met 6 or 8 times going over this International Property Code. We went through all this code book and we all agreed that the book would not work in Jonesboro and we rewrote this code to be what we though would work in Jonesboro. Our version has been thrown away and the total International Property Code is being brought up to the City Council for passage.

Please do not support this.

Sincerely,

A handwritten signature in black ink that reads "Robert Rees". The signature is written in a cursive, flowing style.

Magic Touch Corporation

3709 E. Parker Road
P. O. Box 2516
Jonesboro, AR 72402
870-935-4800 – Office
870-243-7337 - Cell
870-935-5231 – Fax

www.magictouchcorp.com

From: hckwrth@hotmail.com

To: hperrin@jonesboro.org; cdfrierson3@hotmail.com; gvance@jonesboro.org;
crcjab@sbcglobal.net; chrismooreplumbing@yahoo.com; edgecoffeehouse@hotmail.com;
clgrehabman@yahoo.com; jwstreet@sbcglobal.net; johnsons3@suddenlink.net;
ddover@nettletonschoools.net; rennellwoods@yahoo.com; mtmccall@arkbluecross.com;
tdbuton10@yahoo.com

CC: cwessel@jonesborosun.com

Subject: FW: Warnings about J'boro property code, 2012.

Date: Mon, 15 Jun 2015 21:33:31 -0500

GENTLEMEN:

I THINK YOU SHOULD REFER THIS ISSUE BACK TO THE ORIGINAL COMMITTEE AND LET THEM WORK WITH COUNCILMAN FRIERSON AND LEGAL COUNCIL DUNCAN TO DEVELOP A CODE THAT IS ACCEPTABLE TO OUR CITIZENS, USING EXCERPTS FROM THE INTERNATIONAL CODE AND DEALING WITH THE OUTSIDE OF THE STRUCTURES AS ORIGINAL PROPOSED.

PLEASE READ THE PROPOSED 2012 CODE, NOT TAKE THE WORDS OF THOSE THAT ARE PUSHING THIS AGENDA.

IF YOU VOTE TO ADOPT THIS CODE, WE WILL BE SADDLED WITH IT FOREVER, PER COUNCILMAN MOORE, WHO ANSWERED MY QUESTION ABOUT FUTURE CHANGES, HE SAID, THE CITY WILL JUST ACCEPT THE CHANGES AND IT WILL BE LEFT UP TO THE PUBLIC TO LEARN ABOUT THEM. THAT IS NOT THE WAY TO HAVE THE COOPERATION FROM OUR CITIZENS.

ALSO, ANY COUNCILPERSON WHO MIGHT BENEFIT FROM THE ENACTMENT OF THIS CODE VIA THEIR PROFESSION OCCUPATION SHOULD RECLUSE THEMSELVES FROM DISCUSSION AND VOTING ON THIS CODE. YOU KNOW WHO YOU ARE WITHOUT ME HAVING TO PRINT YOUR NAMES. YOUR ACTIONS DO NOT PASS THE SMELL TEST, NOR THE INTEGRITY TEST.

WE CAN NOT CLEAN UP OUR COMMUNITY BY PAINTING UP THE PIG.

THE PROBLEM IS THE CRIMINAL ELEMENT LIVING IN RENTAL PROPERTIES, THE POLICE ARREST THEM, THE JUDGES LET THEM OUT ON BOND AND THEN THE PROSECUTOR PLEA BARGINS A SHORT SENTENCE. THEY ARE BACK ON THE STREETS AFTER 60/90/120 DAYS. THEY SERVE THEIR TIME WATCHING TV IN A AIR CONDITION FACILITY.

E. Ray Hackworth

1606 Whitehaven Court, 870-931-5595

Date: Mon, 15 Jun 2015 13:23:26 -0400

From: blhester@m34u.net

To: hckwrth@hotmail.com

Subject: Warnings about J'boro property code
CC:

Re: The International Property Maintenance Code (IMPC) that Jonesboro City Council is Considering with the 2nd reading tomorrow night, Tuesday, June 16:

Below are warnings that came from people who have had experience with these international property codes in the past. The first one listed in red font below is enough to make any conservative object to the IPMC. Numbered warnings in red font are taken from an article at this link: <http://www.infowars.com/agenda-21-is-being-rammed-down-the-throats-of-local-communities-all-over-america/> (You may have to copy the link into your browser to get it to work)

Note the following quote from the Sun today, June 15, "**But Alderman Gene Vance said June 2 he wants to amend it to apply to all property, including single family residential, commercial and industrial properties.**" **Whether they adopt it now or later for all property, the goal and the end result they will accomplish through gradualism is for all property, including your home, if they are not stopped before it is too late.**

Warnings Gleaned From Those Who Have Had Past Experience with the International Property Maintenance Codes are in red font below. Many of these will not happen right away, but gradually they will if this Code is adopted.

1) The 'Code Official' – anybody the jurisdiction calls – a 'Code Official' – is the sole interpreter – no due process – Gestapo!

I, Bob Hester, found a copy of the 2006 International Property Maintenance Code online that reads under Section 104 at the link below that lists the "**DUTIES AND POWERS OF THE CODE OFFICIAL.**" Many powers are listed, i.e. **104.1** General. The code official shall enforce the provisions of this code. And **102.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health, and general welfare, **not specifically covered by this code, shall be determined by code official.**
<http://linesville.net/wp-content/uploads/downloads/2012/11/property-maintenance-code-2006-pre-linesville.pdf>

I have checked the International Code for 2006 and found the principles in many of the following statements to be included in the international property codes, but I haven't had time to check all of them.

2) Every day an offense occurs is a separate mandatory misdemeanor – \$555/day and/or a month in jail in Charleston, W.Va. They can fine you out of your home and jail you at their

whim! [Separate Offense is confirmed in the 2006 IPMC. I could not find the later versions of the IMPC but noted several places where you could buy the books for \$30.00 or more.]

3) Anything the 'Code Official' says is not in good working condition – sticky window, dented or plugged gutter, torn window screen – whatever he says is not in good working order – hundreds of dollars of fines per day and/or jail time – usually a month – for every day the offense occurs.

4) Any unsanitary condition – whatever the 'Code Official' says is an 'unsanitary condition' – empty pop cans – puddles – dog droppings on your property – same deal – same fines and/or jail time – every day.

5) Any plant that the 'Code Official' says is a 'noxious weed' – same deal – same fines and/or jail time – every day. He can steal raw land.

6) He can fine you out of your home and jail you with no due process. Any court proceedings are window dressing as there is no remedy associated with this 'code.'

7) It can be 'adopted' – just by an 'administrative decree.'

WITHOUT COURT ACTION OR NOTICE THE CODE OFFICIAL CAN:

1) Enter your house whenever he – the sole interpreter – deems reasonable.

2) Prevent you from entering your house.

3) Tear your house down with your stuff in it.

4) Bill you for the demolition.

5) Place a lien on it for fines and/or demolition charges – steal it.

6) And 'best' of all, no insurance I know of will cover your losses.

You're left w/a house and your 'stuff' in a landfill – and any remaining unpaid mortgage, any remaining fines, any remaining taxes, and any remaining demolition charges after they steal your property

These codes restrict what homeowners can do with their own properties in thousands of different ways. If you rebel against one of the codes, the penalties can be extremely harsh. And there is often "selective enforcement" of these codes. That means that they will leave most people alone but they will come down really hard on people that they do not like. You could even end up with a SWAT team on your doorstep.

Even if you have your mortgage completely paid off, that doesn't mean that you really "own" your property. If you don't pay your taxes and obey the "codes", you could lose your property very rapidly.

The philosophy behind all of this is the same philosophy behind Agenda 21. The elite believe that you cannot be trusted to do the "right thing" with your own property and that your activity must be "managed" for the greater good. They believe that by controlling you and restricting your liberties that they are "saving the planet".

Unfortunately, you can probably expect this to get a whole lot worse in the years ahead. Our society is shifting from one that cherishes individual liberties and freedoms to one that is fully embracing collectivism. So our politicians will likely be making even more of our decisions for us as the years move forward.

Note: Someone just gave me a link to the International Code under consideration which is I understand is the 2012 International Property Maintenance Code. I noted there were International Codes for 2003, 2006,

2009, 2012 and 2015 that you could order for \$30 plus dollars. The 2012 Code says it is copywrited. That is another big negative for it. Codes should be easily available to citizens. That link is: <http://www.nealandlord.com/pdf/IPMC.pdf>

From: Karen Hubbard [<mailto:karen.hubbard71@yahoo.com>]
Sent: Tuesday, June 16, 2015 9:30 AM
To: Donna Jackson
Subject: Adoption of 2012 international code

I am unsure what councilman zone I live in to send this directly. Our address is 5913 Pacific Road, Jonesboro. Would you please forward this to our representative?

I ask our councilman to vote NO on this ordinance.

I realize at this point it is only being directed at multi-family housing, but it is just a matter of time before it creeps into single family owned homes. I have read the codes and the powers granted and I believe this is yet another form of government over reach and a form of land grabbing. This code allows people you do not know to enter your home at any time and prevent you as the owner from entering.

This is unbelievable that our city council could ever believe that this is appropriate for Jonesboro.

Further, I will be finding out who our councilman is for our district and if he votes in favor of this measure I will make it my personal mission to inform as many voters as possible on what this document says and make sure he has difficulty getting elected to another term. I feel that strongly against this.

Thank you,
Darryl & Karen Hubbard
Sent from my iPhone

From: Kyla Tyler [<mailto:tylerkyla@yahoo.com>]

Sent: Tuesday, June 16, 2015 2:06 PM

To: Donna Jackson

Subject: International Property Code

Sir,

My name is Kyla Tyler and I am a registered voter in Jonesboro. I have received information that the City Council will be discussing and voting on the 2012 International Property Code tonight at their meeting. I would like to go on record that I am opposed to this proposal. While I no longer own a home in Jonesboro, I might again one day and I do not want anyone in my home uninvited. There are already enough codes on the books about how my property has to look, function, etc. As long as what happens on my property isn't illegal or injurious to someone else, the City should have no right to fine or charge me for "code violations" that do not exist. Please vote against this proposal.

Thank you,
Kyla Tyler

From: Thomas Reeves [<mailto:thimbletom@suddenlink.net>]

Sent: Tuesday, June 16, 2015 1:30 PM

To: Harold Perrin

Cc: Rennell Woods Contact; Ann Williams; John Street; Charles Coleman; Tim McCall; chrismooreplumbing@yahoo.com; Darrel Dover; Donna Jackson; Chris Gibson; Mitch Johnson; Charles Frierson; Gene Vance_Contact

Subject: WE STRONGLY OPPOSE THE JONESBORO PROPERTY CODE ENDORSED BY BARACK OBAMA

Honorable Mayor Perrin and City Council Members:

We strongly oppose the Jonesboro Property Code endorsed by Barack Obama.

After we retired in 1999 we moved to Jonesboro in 2000. We chose Jonesboro after several years of research and traveling to other cities and believed Jonesboro best fit the standards we had set for the place we would retire. At that time Jonesboro met our requirements, but *Jonesboro is no longer the "Jonesboro" we chose and moved to, primarily because of the ever increasing government encroachment into our lives and property rights*, some of which we believe to be unconstitutional. Over the last two or three years we have been very disappointed with our city council – and we are just being honest with you when we tell you that.

Our only son does not live in Jonesboro, does not live in Arkansas. Maybe it's time we started more seriously considering moving away to be closer to our son and his family. The city in which he lives does not presently have a city council headed in the direction Jonesboro's city council seems to be headed. You brag about Jonesboro's growth, without recognizing the fact that the growth Jonesboro is experiencing is the wrong kind of growth.

The notes below contain some information describing the reasons we strongly oppose the Jonesboro Property Code.

Please take note, and *vote against the Jonesboro Property Code. If you do indeed have Jonesboro's citizens' best interest in the forefront of your minds* you will vote against the Property Code.

Mr. & Mrs. Thomas R. Reeves
Jonesboro, AR 72404
(870) 935-1703

There are numerous caveats in regard to the International Property Maintenance Code being proposed in Jonesboro. Documentation is included.

The International Property Maintenance is just one of the 15 "Family of International Codes," which come under the umbrella of **International Code Council (ICC)**, all designed to work

together toward government control of all building and land use design - top down control of all our property. 1

Why would we want to aid Obama in his socialist takeover of our country? "For the fourth consecutive year, President Obama proclaimed May to be National Building Safety Month - a public awareness campaign originated by the **International Code Council.**" 2 This proclamation was in regard to International Building Code that is one of the "Family of International Codes" just as is the International Property Maintenance Code being proposed for Jonesboro.

Most people are opposed to more government control until it seems to provide them with some desired goal. Government control always provides some desirable temporary effects; otherwise socialism would never flourish as it is in our nation today. However, in the long run and for most people, the negative unintended consequences far outweigh the positives.

Welfare is a perfect example of that - it was designed to get rid of poverty but instead perpetuates the problems it was supposed to alleviate and disincentives workers. Only 58.6 of the population age 16 and older are in the workforce today. 3 In total the US spends nearly \$1 trillion every year to fight poverty. **That amounts to \$20,610 for every poor person in America, or \$61,830 per poor family of three.** <http://object.cato.org/sites/cato.org/files/pubs/pdf/PA694.pdf> "The American Welfare State Policy Analysis 2012" 4

The emphasis on the Maintenance code is for the benefit of those dependent on the government - the takers in society rather than for the benefit of the contributors to society - in other words it is another form of redistribution of wealth which is classic socialism.

Socialists are working in hundreds of way to redistribute the wealth and bring our nation to total socialism. And adding to the burden of all rental property owners and taxpayers is just one more of those thousand ways to bring about dependency on the government which is Obama's plan. The taxpayers will pay for those higher code standards through subsidized housing like HUD.

A family member who rents HUD housing said it was unbelievable how one could keep raising the rent on the HUD housing and the government keeps paying. And who pays the government? And we all know what happens to nice public housing - it is destroyed because people don't take care of "free" things. It will be like the welfare programs. In fact, it is a type of welfare. The government will grow at the expense of the taxpayer supposedly for the benefit of the poor people, but the poor people will be no better off.

Jonesboro Vision 2030 reads: "**Provide equitable access for all residents to appropriate housing of their choice regardless** of race, religious creed, ancestry, national origin, gender, familial status, age, physical or mental disabilities, **income, or source of income.**" 5 Policy HOU 11.3 page 124 Chapter 11.

(I noted that all my links to Jonesboro Vision 2030 have been scrubbed, but I have most of the chapters saved in PDF form on my computer as well as a hard copy.)

Socialists accomplish everything through gradualism. The International Property Maintenance Code is just one more step toward the stated goal of Vision 2030 quoted just above. And I have been told that the Code says it is for residential property as well. I have not been able to locate a copy of the code to read it yet. If it doesn't say that, it is obvious from doing the research that is

the end goal. Therefore if you ever want to sell or rent your house (or your deceased parents' house, you could be looking at thousands of dollars to upgrade your house to the required code.)

Yes, it may be nice to have your neighborhood free from those unsightly dilapidated buildings - the perspective many are coming from. But is it worth the cost and most of all is it worth your freedom - because the rental problem is just one step of gradualism which will one day be controlling your home, temperature, amount of energy in the way of gas, electricity, etc that you use. Have you noticed those statements that compare your use of gas, water, etc. to your neighbors? They are setting the standard even now. Some global warming advocates even want to do away with your air conditioning. 6

And yes it would be nice to know that every person had a nice comfortable residence to live in, but that will never be. All this will just lead to our country becoming a third world socialist/communist country; and we all know how well people in those countries fare.

Documentation

1. List of 15 Family of International Codes <http://www.iccsafe.org/about-icc/overview/about-international-code-council/>

2. <http://www.usgbc.org/articles/president-obama-proclaims-may-be-building-safety-month>
President Obama proclaims May to be Building Safety Month

3. <http://www.cnsnews.com/news/article/terence-p-jeffrey/90473000-record-number-not-labor-force-almost-10m-under-obama> 58.6 percent of population in labor force. "90,473,000: Record Number Not in Labor Force--Up Almost 10M Under Obama"

4. <http://object.cato.org/sites/cato.org/files/pubs/pdf/PA694.pdf> "The American Welfare State, "How We Spend Nearly \$1 Trillion a Year Fighting Poverty--and Fail" Policy Analysis, April 11, 2012 "In total the US spends nearly \$1 trillion every year to fight poverty. That amounts to \$20,610 for every poor person in America, or \$61,830 per poor family of three."

5. Quote from JonesboroVision 2030 - **"Provide equitable access for all residents to appropriate housing of their choice regardless of...income or source of income."** Policy HOU11.3 on page 124 Chapter 11.

(I noted that all my links to Jonesboro Vision 2030 have been scrubbed, but I have most of the chapters saved in PDF form on my computer as well as a hard copy.)

6. p. 45 – At the 1992 Rio Earth Summit where the Agenda for the 21st Century was introduced, Chairman Maurice Strong said: “Current lifestyles and consumption patterns of the affluent middle class – involving high meat intake use of fossil fuels, appliances, **home and work-place air-conditioning**, and suburban housing – are not sustainable.”

From: Thomas Reeves [<mailto:thimbletom@suddenlink.net>]

Sent: Thursday, June 18, 2015 11:52 AM

To: Harold Perrin

Cc: Rennell Woods Contact; Ann Williams; John Street; Charles Coleman; Tim McCall; chrismooreplumbing@yahoo.com; Darrel Dover; Donna Jackson; Chris Gibson; Mitch Johnson; Charles Frierson; Gene Vance_Contact

Subject: Re: WE STRONGLY OPPOSE THE JONESBORO PROPERTY CODE ENDORSED BY BARACK OBAMA - CANDID FEEDBACK

Honorable Mayor Perrin and City Council Members – **Some CANDID FEEDBACK:**

You wisely tabled the Jonesboro Property Code Endorsed by Barack Obama, and we appreciate that. That was a small 'ray of hope' for us and will give you a little time to think about what you are about to do TO Jonesboro's citizens and the backlash adopting that code is sure to bring your way. We strongly oppose that code and will continue to do so.

We believe *you know as well as we do that that code is a moral and equitable wrong* against Jonesboro's citizens and society in general. We also believe you know that code, if passed, will be an unconstitutional infringement upon individual property rights. How can you seriously consider implementing such a code and call yourself(ves) 'representatives' of Jonesboro's citizens?

We also know as well as you do that *Jonesboro's citizens are fed up with that kind of trash.* We believe *that kind of irresponsible legislation is costing you* (and has already cost you) and the City Council Members *support and respect. You were elected to protect us, not to do us harm.* That's not hearsay; that is exactly the way we feel. Most of Jonesboro's citizens do not take the time to comment on City Council decisions of that nature, but the adverse feelings are there; and we think you know it. If you don't you're too far removed from Jonesboro society and have no business 'representing' us. The topics are discussed in our Sunday School Classes, in our coffee meetings, group gatherings, etc. and those conversations are initiated by others, not by us.

If you should ignore common sense, and the individual property rights guaranteed by our U.S. Constitution, and *pass that code over Jonesboro's citizens' objections, don't be surprised if Jonesboro's citizens take action to reverse your decision.* We will be among those actively and aggressively seeking to reverse it. We're to the point where we would be willing to spend some money to participate in a lawsuit to have a decision to implement that code declared unconstitutional – an action nobody but the attorneys win – lose/lose for you, for us, for Jonesboro's citizens and for the city of Jonesboro. We would view that action on your part as a willful and intentional harm to Jonesboro's citizens.

It's time to stop this junk! If you don't do it, Jonesboro's citizens will. We wish we didn't have to feel that way; however, you're forcing those feelings upon us against our wills and we have reached the 'line in the sand.'

Mr. & Mrs. Thomas R. Reeves
Jonesboro, AR 72404
(870) 935-1703

From: Renee Aspinwall [mailto:aspinwallrenee@gmail.com]
Sent: Thursday, May 28, 2015 3:46 PM
To: Carol Duncan
Subject: Ordinance

I am in favor of the city ordinance that will be presented, Tuesday. As a Realtor, I see that it will help everyone with their property value and eliminate some 3rd party requirement that must be meant in order for the buyer to get a particular loan.

Respectfully,
Renee Aspinwall, Realtor
Sent from my iPhone
Renee Aspinwall
Jonesboro Realty Company

From: Jeb Spencer [<mailto:jeb.spencer@yahoo.com>]

Sent: Monday, October 05, 2015 12:36 PM

To: Charles Frierson; Gene Vance; tdburton10@yahoo.com; Charles Coleman; Darrel Dover; Chris Gibson; Donna Jackson; Mitch Johnson; Tim McCall; chrismooreplumbing@yahoo.com; John Street; Gene Vance; Ann Williams; Rennell Woods Contact; Harold Perrin

Subject: Maintenance code

Dear council members:

I hope you will support the proposed maintenance code. Most people take reasonable care of their property, but the few that don't make a huge impact on the appearance and value of the city. According to a government website, an abandoned, neglected house lowers adjacent property values by an average of 15%. One of these houses on a corner lot may be directly impacting eight other houses which are in direct view of it!

At least thirteen Arkansas cities have adopted some kind of property maintenance code whether it is the International Property Maintenance Code, or a derivative of it. These cities are Bentonville, Fort Smith, Little Rock, North Little Rock, Lowell, Morrilton, Cherokee Village, Pine Bluff, Texarkana, Russellville, White Hall and Clarksville. Perhaps you know some of the leaders in these communities and can ask them personally how the maintenance code has affected their cities. I read testimonials online about how neighborhoods in Cherokee Village were vastly improved by a fairly administered code.

I understand that right of entry can be a sticking point, but I think it's pretty clear that no code officials can enter a building without permission unless they obtain a warrant. I would love learn how the codes are working in those other cities. My guess is that property values are going up and the rights of many innocent tenants and property owners are being protected at the expense of a very few irresponsible property owners.

I'm also concerned about the irreplaceable architecture we may continue to lose because of eventual condemnation of older houses. I realize that concern doesn't affect the daily lives of most citizens, but as city leaders I hope you'll adopt a code to help protect some of those buildings. Imagine our world if leaders of the past had not cared about buildings and institutions that would outlast their own lives and interests! I know a few of you share this concern with me, and I hope we all feel the same way.

The next generation of "movers and shakers" are driven by a quest for quality of life as much as a desire for economic success. Everywhere people are returning to, or seeking out, cities and neighborhoods that offer attractive surroundings, green space and parks, walkability, and cultural events **in addition to** jobs and economic opportunities.

Sadly, there are quality people who will not choose Jonesboro, and quality people who will leave Jonesboro if we don't do something to halt and reverse the creeping structural blight. The blight is most noticeable in our older neighborhoods at the moment, but it will spread. Many of the older houses are very tough and have endured generations of neglect. The newer neighborhoods may not hold up as long due to the less durable materials being used. The older houses are particularly important at the moment too because they are located in traditional neighborhoods that have sidewalks and are near parks and the downtowns that represent the quality of life those new movers and shakers are seeking. And, the buildings are truly irreplaceable. The materials and techniques and craftsmen are gone. The craftsmen and techniques will return eventually, but the old growth timber will not.

On a final note, I wonder if it's wise to make the enforcement of the code strictly complaint driven. While it sounds reasonable on first hearing, it could lead to unfair and random application of the code. The code enforcement officers could be overwhelmed with relatively minor complaints and become too distracted to address really critical maintenance issues that may not be generating complaints for some reason. Perhaps the public would be better served by simple standards applied equally by an impartial code officer.

I believe a maintenance code that treats all fairly and equally, is similar to the many that already are being used in the state, and helps save some of our precious buildings and traditional neighborhoods is one of the most important and lasting legacies you can leave as council members. It's critical to get this done as soon as possible because it will take some time for the positive effects to be realized. Some people are

understandably alarmed by changes, and in extreme cases there is room for abuse of a code. But it seems critical to me that we do something to avoid the economic costs to the city of allowing buildings to deteriorate to the point of condemnation. I assume that people who don't like new laws don't like old ones either, but we must have them in order to live together.

Thanks for your service, and for taking time to listen to my input.

Jeb Spencer
615 W Matthews
Builder, Restorer, West End Association member, Landlord's Association member.

PART 1 — SCOPE AND APPLICATION

SECTION 101 GENERAL

[A] **101.1 Title.** These regulations shall be known as the *Exterior Property Maintenance Ordinance* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

[A] **101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, for protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of *owners*, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

[A] **101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

[A] **101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

[A] **102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

[A] **102.2 Maintenance.** Safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner*, *operator* or *occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress.

The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* designated agent shall be responsible for the maintenance of buildings, structures and *premises*.

[A] **102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the Arkansas Fire Prevention Code Volume 1, 2 and 3, Arkansas Mechanical Code, Arkansas Plumbing Code, National Electrical Code,

[A] **102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

[A] **102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

[A] **102.6 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures which have been designated as historic buildings when such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

[A] **102.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *Chief Building Official or inspector*.

[A] **102.10 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

PART 2 — ADMINISTRATION AND ENFORCEMENT SECTION 103

DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

[A] **103.1 General.** The Position of property maintenance inspector is hereby created and the executive official in charge thereof shall be known as the *Chief Building Official*

[A] **103.2 Appointment.** The *inspector* shall be appointed by the Mayor.

[A] **103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *Chief Building Official shall* have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *Chief Building Official*.

[A] **103.4 Liability.** The Deputy or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *Chief Building Official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] **103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule. Based on current fee schedule as already adopted by council for building permits.

SECTION 104

DUTIES AND POWERS OF THE CODE OFFICIAL

[A] **104.1 General.** The *Chief Building Official or inspector* is hereby authorized and directed to enforce the provisions of this code. The *Chief Building Official* shall have the authority to render interpretations of this code in order to clarify the application of its provisions. Such interpretations shall be in compliance with the intent and purpose of this code.

[A] 104.1.1 Standard Operating Procedures and Policies: See Attached

[A] **104.2 Inspections.** The *Inspector* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *Chief Building Official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the Mayor.

[A] **104.4 Identification.** The *Inspector* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

[A] **104.5 Notices and orders.** The *Inspector* shall issue all necessary notices or orders to ensure compliance with this code.

[A] **104.6 Department records.** The *Inspector* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

SECTION 105 APPROVAL

[A] **105.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the *Chief Building Official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *Chief Building Official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

[A] **105.2 Alternative materials, methods and equipment.**

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *Chief Building Official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

[A] **105.4 Used material and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *Chief Building Official*.

[A] **105.5 Approved materials and equipment.** Materials, equipment and devices *approved* by the *Chief Building Official* shall be constructed and installed in accordance with such approval.

SECTION 106 VIOLATIONS

[A] **106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] **106.2 Notice of violation.** The *Chief Building Official* or *inspector* shall serve a notice of violation or order in accordance with Section 107.

[A] **106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local Municipality and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *Chief Building Official* or *Inspector* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] **106.4 Violation penalties.** Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a continuous offense.

[A] **106.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

SECTION 107 NOTICES AND ORDERS

[A] **107.1 Notice to person responsible.** Whenever the *inspector* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code.

[A] **107.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

[A] **107.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

[A] **107.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the *inspector* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *inspector*.

[A] **107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] **107.6 Transfer of ownership.** It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the order has been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *inspector* and shall furnish to the *inspector* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

[A] **108.1 General.** When a structure is found by the *inspector* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code. Structure will be turned over to Chief Building Official for inspection for condemnation

[A] **108.1.1 Un-safe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by being so damaged, decayed, dilapidated, and structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[A] 108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *inspector* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public. Refer to Section 108.1

[A] 108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to have been erected, altered or occupied contrary to law.

[A] 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration, neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is determined by the *inspector* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *inspector* to be a threat to life or health.

[A] 108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *inspector* is authorized to post a placard of Vacant structure no admittance allowed on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *inspector* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

[A] 108.2.1 Authority to disconnect service utilities.

The *inspector* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *inspector* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified

prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

[A] **108.7 Record.** The *inspector* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition. The report shall be kept in a locked file cabinet until removed for archiving with the department.

SECTION 109 EMERGENCY MEASURES

[A] **109.1 Imminent danger.** When, in the opinion of the *inspector*, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *inspector shall immediately notify the Chief Building Official*

[A] **109.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the *inspector*, there is *imminent danger* due to an unsafe condition, the *inspector* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *inspector* deems necessary to meet such emergency.

[A] **109.4 Emergency repairs.** For the purposes of this section, the *inspector* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

[A] **109.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* where the unsafe structure is or was located for the recovery of such costs.

[A] **109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Board of Adjustment and Appeals, be afforded a hearing as described in this code.

SECTION 111 MEANS OF APPEAL

[A] **111.1 Application for appeal.** Any person directly affected by a decision of the *Chief Building Official* or a notice or order issued under this code shall have the right to appeal to the board of adjustment and appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

[A] **111.2 Membership of board.** The Board of Adjustments and Appeals shall consist of a minimum of three members who are qualified by experience to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *Chief Building Official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the Mayor and Approved by the Council, and shall serve staggered and overlapping terms.

[A] **111.2.1 Alternate members.** The Mayor shall appoint a minimum of two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

[A] **111.2.2 Chairman.** The board shall annually select one of its members to serve as chairman.

[A] **111.2.3 Disqualification of member.** A member shall not hear an appeal, in which that member has a personal,

professional or financial interest.

[A] **111.2.4 Secretary.** The City Clerk or person designated by the City Clerk shall serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

[A] **111.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

[A] **111.4 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *Chief Building Official or inspector* and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

[A] **111.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

[A] **111.5 Postponed hearing.** When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] **111.6 Board decision.** The board shall modify or reverse the decision of the *Chief Building Official or inspector* only by a concurring vote of a majority of the total number of appointed board members.

[A] **111.6.1 Records and copies.** The decision of the board of adjustments and appeal shall be recorded. Copies shall be furnished to the appellant and to the *Chief Building Official*.

[A] **111.6.2 Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

[A] **111.7 Court review. Decision of the Board may be appealed to the Craighead County Circuit Court**

[A] **111.8 Stays of enforcement.** Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the Board of Adjustment and Appeals.

SECTION 112 STOP WORK ORDER

[A] **112.1 Authority.** Whenever the *inspector* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *inspector* is authorized to issue a stop work order.

[A] **112.2 Issuance.** A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

[A] **112.3 Emergencies.** Where an emergency exists, the *inspector* shall not be required to give a written notice prior to stopping the work.

[A] **112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words “*dwelling unit*,” “*dwelling*,” “*premises*,” “*building*,” “*rooming house*,” “*rooming unit*,” “*housekeeping unit*” or “*story*” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

ANCHORED. Secured in a manner that provides positive connection.

[A] **APPROVED.** *Approved by the code official.*

BASEMENT. That portion of a building which is partly or completely below grade.

[A] **CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

[B] **GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or *premises* of insects, rats, vermin or other pests.

[A] **LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-*labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

NEGLECT. The lack of proper maintenance for a building or *structure*.

[A] **OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or *premises* which is let or offered for *occupancy*.

[A] OWNER. Any person, agent, *operator*, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

[A] PREMISES. A lot, plot or parcel of land, *easement* or *public way*, including any structures thereon.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do. **[A] STRUCTURE.** That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

301.3 Vacant structures and land. All vacant structures shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

302.5 Rodent harborage. All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

302.7 Accessory structures. All accessory structures, including *detached* garages, and walls, shall be maintained structurally sound and in good repair.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *Arkansas Fire Prevention Code 2012 Volume 2 and 3* and *2012 Existing Building Codes* required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that is anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint in excess of 15% shall be eliminated and surfaces

repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.

304.4 Structural members. All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.15 Doors. All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition.

304.18 Building security. Doors, windows or hatchways for *dwelling units* shall be provided with devices designed to provide security for the *occupants* and property within.

**SECTION 307
HANDRAILS AND GUARDRAILS**

307.1 General. Every exterior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces.

Guards shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the adopted building code.

APPENDIX A

BOARDING STANDARD

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

A101 GENERAL

A101.1 General. All windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

A102 MATERIALS

A102.1 Boarding sheet material. Boarding sheet material shall be minimum $\frac{1}{2}$ -inch (12.7 mm) thick wood structural panels complying with the *International Building Code*.

A102.2 Boarding framing material. Boarding framing material shall be minimum nominal 2-inch by 4-inch (51 mm by 102 mm) solid sawn lumber complying with the *International Building Code*.

A102.3 Boarding fasteners. Boarding fasteners shall be minimum $\frac{3}{8}$ -inch (9.5 mm) diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

A103 INSTALLATION

A103.1 Boarding installation. The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

A103.2 Boarding sheet material. The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

A103.3 Windows. The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch (51 mm by 102 mm) strong back framing material shall be cut minimum 2 inches (51 mm) wider than the window opening and shall be placed on the inside of the window opening 6 inches minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

A103.4 Door walls. The door opening shall be framed with minimum 2-inch by 4-inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at a maximum of 24 inches (610 mm) on center. Blocking shall also be secured at a maximum of 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured

with screws and nails alternating every 6 inches (152 mm) on center.

A103.5 Doors. Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an *approved* manner.

A104 REFERENCED STANDARDS

IBC—12 International Building Code A102.1, A102.2,
A102.3