



Legislation Details (With Text)

**File #:** ORD-51:004    **Version:** 1    **Name:** Policy concerning natural gas usage in homes  
**Type:** Ordinance    **Status:** Passed  
**File created:** 3/5/1951    **In control:** City Council  
**On agenda:**    **Final action:** 3/5/1951  
**Title:** AN ORDINANCE REGULATING THE SALE, INSTALLATION, MAINTENANCE AND REPAIR OF APPLIANCES, DESIGNED TO EMPLOY NATURAL GAS AS A FUEL; AND REGULATING THE INSTALLATION, MAINTENANCE AND REPAIR OF ALL PIPES EXTENDING FROM THE POINT OF DELIVERY, DESIGNED TO CONVEY OR CARRY GAS TO SUCH APPLICANES WITHIN THE CORPORATE LIMITS OF THE CITY OF JONESBORO, ARKANSAS; PROVIDING FOR THE INSPECTION OF SAID APPLIANCES AND PIPES; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE INSTALLATION OR REPAIR OF SAID APPLIANCES OR PIPES AND THE COLLECTION OF INSPECTION FEES THEREOF; PROVIDING FOR THE LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF INSTALLING OR REPAIRING SAID APPLIANCES OR PIPES; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH (NOTE: THIS ORDINANCE WAS AMENDED BY ORD-71:2480 ON NOVEMBER 2, 1971; ORD-74:2401 ON FEBRUARY 18, 1974)

**Sponsors:**  
**Indexes:** Policy - creation/amendment  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
3/5/1951	1	City Council	Passed	Pass

AN ORDINANCE REGULATING THE SALE, INSTALLATION, MAINTENANCE AND REPAIR OF APPLIANCES, DESIGNED TO EMPLOY NATURAL GAS AS A FUEL; AND REGULATING THE INSTALLATION, MAINTENANCE AND REPAIR OF ALL PIPES EXTENDING FROM THE POINT OF DELIVERY, DESIGNED TO CONVEY OR CARRY GAS TO SUCH APPLICANES WITHIN THE CORPORATE LIMITS OF THE CITY OF JONESBORO, ARKANSAS; PROVIDING FOR THE INSPECTION OF SAID APPLIANCES AND PIPES; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE INSTALLATION OR REPAIR OF SAID APPLIANCES OR PIPES AND THE COLLECTION OF INSPECTION FEES THEREOF; PROVIDING FOR THE LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF INSTALLING OR REPAIRING SAID APPLIANCES OR PIPES; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH (**NOTE: THIS ORDINANCE WAS AMENDED BY ORD-71:2480 ON NOVEMBER 2, 1971; ORD-74:2401 ON FEBRUARY 18, 1974**)

BE IT ORDAINED by the city officials of the City of Jonesboro, Arkansas, as follows:

TITLE

SECTION 1. This ordinance shall be known as the “Gas Ordinance” of the City of Jonesboro, Arkansas, and may be cited as such.

PURPOSE

SECTION 2. The purpose of this ordinance is to provide minimum standards, provisions, and requirements for safe installation of gas appliances and gas pipes and to regulate the sale, maintenance and repairs of such appliances.

#### SCOPE

SECTION 3. All gas appliances or gas pipes hereafter sold, installed, maintained or repaired within the corporate limits of the City of Jonesboro, Arkansas, shall conform to the requirements of this ordinance.

#### DEFINITIONS

SECTION 4. The following definitions are provided for the sole purpose of proper interpretation and administration of this "Gas Ordinance."

- (1) INSPECTOR shall mean the administrative authority and is so designated by the city officials.
- (2) GAS COMPANY shall mean any person, firm or corporation holding and exercising a franchise or permit to distribute natural gas within the corporate limits of the City of Jonesboro, Arkansas.
- (3) GAS COMPANY SERVICE LINE shall mean the gas piping leading from the gas main to the property line or to the point of delivery.
- (4) POINT OF DELIVERY shall mean the junction of the utility's meter with the consumer's piping and shall be located at the consumer's meter.
- (5) YARD LINE or CONSUMER'S SERVICE LINE shall mean the gas piping leading from the property line or point of delivery to the building or premises served.
- (6) HOUSE LINE shall mean the gas piping extending from the consumer's point of delivery to the gas appliances
- (7) OUTLET shall mean a threaded connection in a piping system to which a gas burning appliance is or may be attached.
- (8) GAS APPLIANCE shall mean any appliance or device used for burning natural gas.
- (9) VENT shall mean a pipe, flue, or chimney designed and installed to carry the products of combustion from an appliance to the outside atmosphere.
- (10) TYPE "B" VENT shall mean approved vent piping of non-combustible corrosion resistant material of adequate strength and heat insulating value and having bell and spigot or other approved joints.
- (11) VENT OPENING shall mean an opening or collar which is provided on a gas appliance for the purpose of connecting the vent.
- (12) VENTED APPLIANCE shall mean a gas appliance designated and installed in such a manner that the products of combustion are conveyed directly to the outside atmosphere by a vent.
- (13) NEW GAS APPLIANCE shall mean a gas appliance which has not previously been sold and installed or used.
- (14) USED GAS APPLIANCE shall mean a gas appliance which has been previously sold, installed and used.
- (15) APPROVED shall mean accepted by reason of the satisfactory results of thorough investigations and tests conducted by the Inspector, or by reason of accepted principles, or tests by recognized authorities, technical or scientific organizations.
- (16) CERTIFICATE OF APPROVAL shall mean a document issued and attached to the material, piping or appliance inspected, completely filled out, together with date, address of the premises or consumer, and signed by the Inspector.

#### LICENSE REQUIRED

SECTION 5. No person except the owner shall engage in or work at the installation, extension, alteration or

repair of any gas appliance or piping pertaining to or in connection with gas service on consumer's premises within the corporate limits of the City of Jonesboro, Arkansas, unless such person has first procured a license thereof, in accordance with the provisions of this ordinance.

## REVOCATION OF LICENSES

SECTION 6. No person, firm or corporation shall lend his or their "Gas Fitter's" or "Master Plumber's" license, as the case may be, to any other person, nor shall any such licensed person, firm or corporation apply for a permit in his or their name of use of any other person and any such licensed person, firm or corporation so doing or refusing to comply with any other requirements of this ordinance shall have his or their "Gas Fitter's" or "Master Plumber's" license, as the case may be, suspended or revoked by the city officials of the City of Jonesboro, Arkansas.

## PERMITS

SECTION 7. No gas fitter or plumber shall install a conversion burner floor furnace, central heating plant or gas engine, or make alterations to installed house piping in any building or structure with first obtaining a permit to do such work from the City of Jonesboro, Arkansas. Permits will not be required for setting or connecting other gas appliances where such connections are made to existing outlets previously installed by a licensed plumber or gas fitter.

## FEES

### SECTION 8.

- (1) The fees for inspection of consumer's piping shall be \$1.50 for one outlet; \$1.50 for two to five outlets, inclusive and 25 cents for each outlet thereafter, for each re-inspection or partial inspection, \$1.00.
- (2) The fees for inspecting conversion burners, floor furnaces or central heating plants shall be \$1.50 for each unit; for each re-inspection or partial inspection \$1.00 per unit.
- (3) The fees for inspecting used appliances that are to be offered for sale shall be \$1.50 for first appliance and 25 cents for each additional appliance.
- (4) Any and all fees shall be paid by the person to whom the permit is issued.

## INSPECTION

### SECTION 9.

#### A. Rough Piping Inspecting:

- (1) Shall be made after all piping authorized by the permit has been installed and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

#### B. Test or Final Piping Inspection:

- (1) Shall be made after all piping authorized by the permit has been installed and after all portion thereof which are to be concealed by plastering or otherwise have been so concealed and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury twenty (20) inches in height and the piping shall hold this air pressure for a period of at least fifteen (15) minutes without any perceptible drop. A U-gauge type mercury column or other approved testing gauge shall be used for the test.
- (2) All tools, apparatus, labor and assistance necessary for the tests shall be furnished by the installer.

(3) Used gas appliances shall be connected to gas outlets at the time inspection for resale is made (Section 16 - Sale of Appliances).

(C) Inspection of Piping Required If Structure Has Not Used Gas For a Period of Twelve Months.

(1) A new inspection certificate shall be required for a structure in which no gas has been used for a period of twelve (12) consecutive months or more.

## CERTIFICATES

SECTION 10. The inspector shall issue a Certificate of Approval at the completion of the work for which a specific permit has been issued, if after inspection it is found that such work complies with the provisions of this ordinance and all other requirements of law or ordinance applicable thereto. A duplicate of each piping certificate shall be delivered to the gas company and used as its authority to grant gas service.

## POWER AND DUTIES OF INSPECTOR

SECTION 11.

(1) The inspector is hereby authorized and directed to enforce all of the provisions of this ordinance and the inspector or his authorized representative, upon presentation of proper credentials, may enter any building or premises for the purpose of making inspections or preventing violations of this ordinance.

(2) The inspector or his authorized representative is hereby authorized to disconnect any gas piping or fixture or appliance which has been connected before a Certificate of Approval has been issued, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping system, which notice shall state that the same has been disconnected by the inspector or his representative together with the reason or reasons thereof, and it shall be unlawful for any person to remove said notice or reconnect said gas piping or appliance until authorized by the inspector to do so.

(3) It shall be the duty of the inspector to confer with representatives of local gas companies or local plumbers or gas fitters associations, of the Local Health Department and the local Fire Department and otherwise obtain from proper sources all helpful information and advice, presenting same to the city officials from time to time for their consideration.

## FUNCTIONS OF THE GAS COMPANY

SECTION 12.

(1) Gas companies are hereby authorized to discontinue or refuse to supply gas for any gas piping or gas appliance which may appear to be defective or leaking, or otherwise considered to endanger life or property; provided, however, that the gas company shall immediately give notice of discontinuance to the inspector and the occupant of the building or premises where such gas supply is discontinued or refused.

(2) In all cases where the supplying of gas has been discontinued for safety reasons, the supplying of gas shall not be resumed until authorized by the inspector.

(3) Gas companies shall not be required to secure permits to extend gas service pipes or set meters or for any other utilization functions, but will be required to secure a permit from the City of Jonesboro for which no charge will be made when any excavation is to be made in any street or alley.

## MATERIALS

SECTION 13.

(1) All pipe used for the installation, extension, alteration or repair of any house gas piping shall be of standard

- dimension black wrought iron or black steel pipe and such pipe shall either be new or shall have previously been used for no purpose other than the conveying of gas. All such pipe shall be free from internal obstructions, which would render it unfit for the purpose intended and the ends thereof shall be properly reamed.
- (2) All fittings used in connection with the house gas piping shall be of black malleable iron. The use of cast iron fitting is prohibited.
  - (3) All joints between pipe and fittings, unless welded, shall be screwed joints (American Standard pipe thread). Such joints shall be made up with white lead or other suitable thread compound.
  - (4) All unions used in house shall be ground joint types. Right and left nipples and couplings are permissible.

## CONSUMER'S PIPING

### SECTION 14.

- (1) All gas service piping from the point of delivery to the first outlet shall not be less than one (1) inch in diameter in houses or apartments of four (4) rooms or less; 1-1/4" in houses of five (5) or more.
- (2) All gas piping inside buildings must be securely strapped to joists or ceiling or iron straps or approved wire hangers. No hangers made of nails or wood will be permitted.
- (3) The use of bushings in any house or yard line is prohibited.
- (4) The use of unions in concealed locations is prohibited.
- (5) Gas outlets for instantaneous water heaters and gas ranges shall not be less than three fourths (3/4) inch pipe and all outlets for central heating plants not less than one (1) inch pipe.
- (6) All other outlets shall not be less than one half (1/2) inch pipe.
- (7) All gas outlets shall extend through the floor or base board not less than two and one half (2-1/2) inches.
- (8) Table of minimum sizes for house piping shall be as follows:

Minimum Size	Maximum Length	Maximum Number of Outlets
1/2 inch pipe	10 feet	1
3/4 inch pipe	10 feet	2
3/4 inch pipe	20 feet	1
1 inch pipe	20 feet	6
1 inch pipe	40 feet	4
1 inch pipe	60 feet	2
1 inch pipe	80 feet	1
1-1/4 inch pipe	50 feet	10
1-1/4 inch pipe	100 feet	5
1-1/2 inch pipe	50 feet	40
1-1/2 inch pipe	100 feet	20
2 inch pipe	100 feet	80
2 inch pipe	200 feet	40

- (9) Where gas meters are installed above ground at the house, each consumer's service line shall be provided by the gas company with a suitable stop cock located in an accessible place and at the inlet of the meter.
- (10) Where an underground meter is used, each consumer's house line shall be provided with a suitable stop cock (sill cock) at a point above ground where the gas line enters the building.
- (11) Where more than one meter is supplied through one service line, a stop clock shall be installed at each meter inlet in addition to the service line stop.
- (12) The size of house piping and not otherwise provided for in this section shall be approved by the inspector and satisfactory to the gas company.

## METER LOCATIONS

SECTION 15. A meter location shall be provided for the building or premises to be served and the location shall be such that the meter connections are easily accessible in order that the meter may be read or changed. No gas meter shall be hereafter installed under a stoop, stairway, show window or porch or near a furnace, boiler or other heating appliance. No meter shall be placed in any other location where it will be inaccessible or liable to injury. Location, dimensions and type of installation shall be designated by the gas company.

#### SALE OF APPLIANCES

##### SECTION 16.

(1) All new gas appliances hereafter sold, offered for sale or installed within the corporate limits of the City of Jonesboro, Arkansas, shall be of a design and construction approved as to safety, efficiency and durability and shall bear information showing the rated heat input in B.T.U. per hour and equipped by the manufacturer for use with natural gas.

(2) All used gas appliances hereafter sold or offered for sale or installed shall be approved by the inspector for safety and efficiency and shall be identified accordingly. In the event the appliance has been used with butane or other liquid petroleum gases it shall be approved by inspector as having been properly converted for use within natural gas.

#### CONVERSIONS FROM BUTANE OR OTHER L.P. GASES TO NATURAL GAS

SECTION 17. Conversion of customer's yard line, house piping and appliances from butane or other liquefied petroleum gases to natural gas.

Before a natural gas supply is furnished by the gas company to a customer who has been previously using butane, propane or other liquefied petroleum gases, customer shall secure a permit from the City and an inspection shall be made of the yard line, house piping and appliances by the inspector and the following specifications shall be met before a certified is issued by the inspector to connect natural gas to the premises:

(1) A yard service line of not less than 1" in size shall be installed in accordance with this ordinance and the gas company's construction standards.

(2) Sizes of house piping shall be altered if need be, so that 1-1/4" or larger size pipe shall extend direct from outlet connection of gas company's meter to the first active gas opening. All house piping to additional openings shall be as set out in Section 14 hereof. Construction standards shall be those set out in Section 13 hereof.

(3) Before a gas supply is furnished by the supplier, the offices and/or burners of all liquefied petroleum gas appliances shall be changed or altered to the size and methods of use recommended by the manufacturer of the appliance. Vent pipes, heater connections or any other appurtenances to gas appliances in use prior to conversion from liquid gas to natural gas shall be altered or replaced in a manner that will conform to the specifications and construction standards of this ordinance.

#### APPLIANCE INSTALLATIONS

##### SECTION 18.

(1) Appliances shall be adequately supported and so connected to the piping as not to exert undue strain on the connection.

(2) appliances shall be installed so that their continued operation will not create a fire hazard to persons or property.

(3) No appliance shall be installed where facilities for ventilation do not permit the proper combustion of the

gas (See Section 20 - Ventilation).

(4) Semi-rigid gas tubing may be used to connect appliances, provided it is of adequate capacity and approved.

(5) The use of rubber hose is prohibited except when used with laboratory or shop equipment of a portable nature. Such connections shall have the cut-off valve installed at the pipe outlet.

(6) No device or attachment shall be installed on any appliance which in any way may impair the combustion of gas (See Section 22 - Unauthorized Devices).

(7) Every appliance shall be properly adjusted after being installed and the consumer shall be instructed as to its safe operation by the installer (See Section 21 - Adjustments).

(8) All vent connected appliances, except incinerators, shall be equipped with draft diverter, approved as to design and capacity.

(9) No gas appliance shall be so located that it cannot be readily adjusted.

(10) All water heaters, all types of central heating equipment, all enclosed fire zone circulating heaters, unit heaters and floor furnaces hereafter installed shall be connected to adequate vents, conforming to provisions of Section 20 of this ordinance.

(11) Furnaces, boilers or other types of heating equipment designed to burn a fuel other than gas shall not be converted to burn gas until such equipment has been approved for conversion by the inspector.

(12) Where the approval requirements of an appliance are such that gas appliance pressure regulator is required, an approved regulator shall be used. In any case where a safety type regulator is not used, a breather pipe of not less than one-eighth (1/8 inch) in size shall be installed from the diaphragm case of regulator to the outside of the building, or into the combustion chamber of the appliance and adjacent to a constantly burning pilot or into the appliance vent beyond the draft diverter.

#### A. Floor Furnace Installation

(1) The installation of floor furnaces shall be made in accordance with the provisions of this ordinance.

(2) No furnace shall be installed in the floor of any aisle or passageway of any auditorium, public hall or public assembly room.

(3) The floor around the furnace shall be braced and headed with a framework of material not lighter than the joists. The inside dimensions of the framework shall be approximately one-half (1/2) inch longer and wider than the furnace to be installed.

(4) All floor furnaces, including those having single or dual registers, outlets, shall be installed as approved without alterations, extensions or changes of any kind in the furnace.

(5) No automatic pilot shutoff shall be installed on a floor furnace that has not been approved for such equipment.

(6) All floor furnaces shall be equipped with an approved pressure regulator.

(7) The bottom of the floor furnace shall have at least an eight (8) inch clearance from the ground. When that clearance is not present, the ground below and to the sides shall be excavated to form a "basinlike" pit under the furnace so that there is an eight (8) inch clearance beneath the furnace and an eight (8) inch clearance on both sides except the control side which shall have an eighteen (18) inch clearance. This facilitates any servicing that may be required and allows ample air for proper combustion.

(8) Whenever the excavation exceeds twelve (12) inches, or water seepage is apparent under the house a watertight pan or concrete pit shall be used. The pan shall be made of not less than twenty-four (24) gauge galvanized iron or sixteen (16) ounce copper. The pan shall be suitably anchored in place and the walls shall extend at least four (4) inches above the ground level, with eight (8) inch clearance on all sides except the control side which shall have eighteen (18) inch clearance.

(9) Adequate provisions shall be made for easy access to the furnace under the house by means of an opening in the foundation wall.

#### VENTS

## SECTION 18.

- (1) All vent pipes for floor furnaces and central heating furnaces must be of standard galvanized iron of not less than twenty-six (26) gauge or approved Type "B" vents.
- (2) The joints of the galvanized pipe shall be secured together with metal screws, rivets or approved clamps.
- (3) Every vent pipe or connection between the appliance and the chimney or flue shall not be smaller than the size indicated by the vent collar of the appliance and in no case shall the internal area be less than seven (7) squared inches (three inch pipe). Vent pipes leading from heating appliances for fuel other than gas, when converted to gas fuel may be reduced from original size on the basis of one (1) square inch of area for every 7,500 BTU delivered to the appliance burner.
- (4) Where the appliance has more than one vent connection or where more than one appliance is connected to the same vent, the vent pipe shall equal the combined area of the vents for which it acts as a common carrier to the flue. All connections to the lateral run shall be made with "Y" connections.
- (5) All vents shall extend through roof as near ridge as practicable with laterals in the attic not less than thirty degrees from the horizontal.
- (6) Heights must be two (2) feet above the highest portion of any structure within ten (10) feet of where the vent extends above the ridge.
- (7) The installation of a cap or other devices on the outlet of an appliance vent, which in any way obstructs the free passage of the products of combustion to the outside atmosphere is prohibited.
- (8) Vent pipes passing through any closet or other enclosed space used for the storage of clothing, household goods or other combustible materials shall be Type "B" vents or vitreous lined masonry chimney.
- (9) Maximum length of lateral vents shall not be more than seventy-five percent (75%) or vertical height of vent or chimney.
- (10) All lateral vent pipes shall be supported at every joint by perforated strap iron not less than one sixteenth 91.16) inch in thickness securely fastened to the floor joists.
- (11) Vent pipes shall not be closer than two (2) inches to any combustible material and in all cases where vent pipes or less than four (4) inches from any combustible material, the same shall be protected with asbestos mill board of not less than one quarter (1/4) inch thickness.
- (12) Where Type "B" vents are used, it shall not be necessary to use the mill board as hereinbefore provided.
- (13) In underfloor areas, the minimum pitch upward of lateral runs of vents from the appliance must be at least one half (1/2) inch per foot.
- (14) Floor furnaces shall be installed so that the connection from the draft diverter to the flue be made without the use of more than two forty-five degree elbows. The installation of ninety degree elbows in lateral vent piping is prohibited.
- (15) Connections of lateral vent pipes to transit or other Type "B" vents must be with fitting designed by the vent manufacturers for this purpose.
- (16) The installation of dampers or stops signs in the vent pipe attached to any appliance equipped with a draft diverter is prohibited.

## VENTILATION

### SECTION 20.

- (1) Space heaters in public sleeping quarters for the use of transients, tourist camps, rooming houses, etc., must be of the fully vented type, i.e., having an enclosed combustion chamber and equipped with draft diverter and vented according to standards set out under the rules provided in Section 19 of this ordinance.
- (2) No installer or individual shall install or cause to be installed a ventilating fan in a residence, apartment, hotel or commercial cooking establishment until the following provisions are complied with: There shall be a permanently opened ventilator or opening or series of openings at least equal in area to the total square inches in the exhaust opening of the fan or fans.



(3) No gas fired equipment shall be installed in a basement, bathroom or under buildings, or within any other enclosed space unless adequate provision has been made to admit to the space sufficient fresh air to support combustion. The minimum cross sectional area of ventilation required shall be equal to one (1) square inch for every thousand BTU of the total input rating of all appliances installed or operating within the room or enclosure.

## ADJUSTMENTS

### SECTION 21.

(1) Every gas appliance hereafter installed shall be properly adjusted by the person making the installation and no such appliance following the installation shall be left connected to the gas piping unless every reasonable precaution has been employed to insure safe operation of the burners and proper combustion of the gas, due attention being given to draft conditions and ventilations.

(2) In no case shall an appliance be fired or adjusted to pass a greater amount of gas than the rated capacity.

## UNAUTHORIZED DEVICES

SECTION 22. No person, firm or corporation shall, without the approval of the inspector, display, sell, barter, replace, offer for sale, lease deal in, supply, rent, donate, connect or install within the corporate limits of the City of Jonesboro, Arkansas, any device purporting to reduce gas consumption when such device is tended as an adjunct or addition to a gas appliance, or to be suspended above, or to wholly or partially enclose any burner of a gas appliance in such manner as to reduce the effectiveness of ignition of the gas issuing from the burner or impair combustion of said burner.

## MAINTENANCE

SECTION 23. All gas piping, vents, vent connections and appliances shall be maintained in good conditions; provided, however, that no gas piping, vent, vent connection, fixture or appliance not conforming to the requirements of this ordinance shall be used or maintained if the use of maintenance thereof would endanger life or property, and no gas appliance shall be operated, which, in the opinion of the inspector, is not provided with ample ventilation.

## VIOLATIONS AND PENALTIES

### SECTION 24.

It shall be unlawful to turn on valves, break seals on meter cocks, or do any other act the purpose of which is to cause or attempt to cause a resumption of the flow of gas through or in pipes which has been stopped or shut off by the utility supplying the same and the existence of any bypass pipe or any other device on or about the pipes or equipment installed or legally used by the utility in furnishing gas to consumer or evidence of damage to meters, vales, seals or other appurtenances preventing or interfering with proper use of such equipment for registering or measuring as consumed, shall constitute prima facie evidence of knowledge on the part of the person or persons having custody or control of the premises where such devices are located of the existence thereof and the effect of such devices or persons to unlawfully take or steal gas from the equipment installed by or used by the utility furnishing or making gas available to consumers and shall bring such person or persons prima facie within the scope, meaning and penalties of this ordinance.

(A) Any person, firm or corporation that shall fail to comply with or violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not

less than \$5.00, nor more than \$25.00 or not more than 30 days imprisonment or the license of such person, firm or corporation may be revoked, or both fine and revocation of license may be imposed.

#### NON-LIABILITY OF CITY

SECTION 25. This ordinance shall not be construed as imposing upon the City of Jonesboro, Arkansas, any liability or responsibility for damages to any person injured by a defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the City of Jonesboro, Arkansas, or any official or employee thereof be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or certificate of inspection issued by the inspector.

#### VALIDITY

SECTION 26. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portion of this ordinance. The City officials of the City of Jonesboro, Arkansas, hereby declared that they would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

#### ORDINANCES REPEALED

SECTION 27. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

The City Council finds that many deaths have been caused by improper venting of gas burning appliances; that gases produced by the combustion of gas and the consumption of oxygen in the air in enclosures in which gas is burned constitutes a great danger to lives and therefore an emergency is declared to exist and the immediate passage of this ordinance being necessary for the preservation of the public health, safety and welfare, this ordinance shall be immediately in effect upon its passage, adoption and publication.

PASSED AND ADOPTED this 5<sup>th</sup> day of March, 1951.