



Legislation Text

File #: ORD-68:2641, Version: 1

AN ORDINANCE PROVIDING FOR FIRE LIMITS, AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES. **(NOTE: THIS ORDINANCE WAS AMENDED BY ORD-71:2485 ON OCTOBER 18, 1971; ORD-71:2478 ON DECEMBER 20, 1971; ORD-74:2375 ON OCTOBER 22, 1974; ORD-74:2402 ON FEBRUARY 18, 1974; ORD-76:2210 ON MAY 3, 1976)**

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

SECTION 1: Adoption of Building Code.

There is hereby adopted by the City Council of the City of Jonesboro, Arkansas, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties that certain building code known as the National Building Code recommended by the American Insurance Association, successor to the National Board of Fire Underwriters, being particularly the 1967 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the Clerk of the City of Jonesboro, Arkansas, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the City of Jonesboro, Arkansas.

SECTION 2: Establishment of Office of Building Official.

- (a) The office of building official is hereby created and the executive official in charge shall be known as the building official.
- (b) The building official shall be appointed by the Mayor with concurrence of the City Council. His appointment shall continue during the good behavior and satisfactory service of said official. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.
- (c) During temporary absence or disability of the building official the appointing authority shall designate an acting building official.

SECTION 3. Qualifications of Building Official.

To be eligible to appointment, the candidate for the position shall have had experience as an architect, structural engineer, building inspector or superintendent of building construction, or a building contractor. He shall be in good health, physically capable of making the necessary examinations and inspections. He shall not have any interest whatever, directly or indirectly, in the sale of manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removals, and demolition.

SECTION 4: Duties of Building Official.

- (a) The building official shall devote his whole time to the duties of his office. He shall receive applications required by this code, issue permits and furnish the prescribed certificates. He shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the building code. He shall,

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

(b) Inspections required under the provisions of the building code shall be made by the building official or his duly appointed assistant. The building official may accept reports of inspectors recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the building code shall be issued on such reports unless the same are in writing and certified to by responsible officer of such service.

(c) The building official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered, and of notices or orders issued. He shall retain on file copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence.

(d) All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the building official without his written consent.

(e) The building official shall make written reports to his immediate superior once each month, or oftener if requested, including statements of permits and certificates issued, and orders promulgated.

SECTION 5: Liability of Building Official.

The building official or any employee charged with the enforcement of this code, acting in good faith and without malice for the city in the discharge of his duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or be reason of any act or omission in the discharge of his duties. Any suit brought against the building official or employee, because of such act or omission performed by him in the enforcement of any provisions of this code, shall be defended by the legal department of the city until final termination of the proceedings.

SECTION 6: Cooperation of Other Officials.

The building official may request and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other officials of the municipality.

SECTION 7: Right of Entry.

The building official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

SECTION 8: Definitions.

(a) Wherever the "Municipality" is used in the building code, it shall be held to mean the City of Jonesboro, Arkansas.

(b) Wherever the term "Corporation Counsel" is used in the building code, it shall be held to mean the Attorney for the City of Jonesboro, Arkansas.

SECTION 9: Fire limits established.

The fire limits of the City of Jonesboro, Arkansas, are hereby established as follows:

No. 1: Beginning at the intersection of the center lines of South Main Street and Warner Avenue, thence West along the center line of Warner Avenue to the intersection of Warner and Union Street, thence North along the center line of Union to the intersection of Union and Jefferson Avenue, thence West along the center line of

Jefferson Avenue to a point 400 feet West of center line of Madison Street, thence North until it intersects with the center line of Huntington Avenue at a point 400 feet west of the center line of Madison Street, thence continues North along the center line of Sharp Street to a point 100 feet North of intersection of center lines of Sharp Street and Krewson Avenue, thence West to the center line of McClure Street at a point 100 feet North of the intersection of the center line of McClure Street and Krewson Avenue, thence North along center line of McClure Street to a point 150 feet North of West Johnson Avenue, thence East parallel with Johnson Avenue until it intersects with Block Street, thence South along the center line of Block Street to the South rail of the mail line of the St. Louis Southwestern Rail company, thence West along the South rail of the mail line of said railway to the intersection of the railway line with East Street, thence South along the center line of East Street and East Street Extended to a point 300 feet East of the center line of the intersection of South Church Street and Jackson Avenue, thence East along the center line of Jackson Avenue to the intersection of Jackson Avenue and Carson Street, thence South along the center line of Carson Street to the intersection of Carson Street and Matthews Avenue, thence West along center line of East Matthews Avenue to the intersection of Matthews and Cobb Street, thence South along center line of Cobb to a point 200 feet South of East Matthews Avenue, thence West to the center line of South Church Street at a point 200 feet South of the intersection of South Church and Matthews Avenue, thence south along center line of South Church to the intersection of South Church and Buffalo Avenue, thence West to the point of beginning.

See attached sheets for description of zones No. 2, No. 3, No. 4 and No. 5.

SECTION 10: Fees.

- (a) No permit as required by the building code shall be issued until the fee prescribed in this ordinance shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to the increase in the estimated cost of building or structure shall have been paid.
- (b) For a permit for the construction or alteration of a building or structure, the fee shall be at a rate of \$3.00 per thousand dollars of the estimated cost up to \$15,000 plus \$2.00 per thousand dollars of the estimated cost in excess of \$15,000 up to \$100,000; plus \$1.00 per thousand dollars of the estimated cost in excess of \$100,000 up to \$500,000; plus \$.40 per thousand dollars of the estimated cost in excess of \$500,000 up to \$1,000,000; plus \$.15 per thousand dollars of the estimated cost in excess of \$1,000,000; provided that no fee shall be required when the estimated cost does not exceed two hundred dollars.
- (c) For a permit for the removal of a building or structure from one lot to another, the fee shall be \$10.00 flat.
- (d) For a permit for the removal of a building or structure to a new location within the same lot, the fee shall be \$3.00 flat.
- (e) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, an adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of a prescribed minimum fee shall be made. If such discontinuance is due to revocation of permit, a similar adjustment and return may be made; provided that no refund shall be made until all penalties incurred or imposed by due authority have been collected. After such a refund has been made no work shall be resumed until a new application has been made and a new permit has been issued.
- (f) The term "estimated cost" as used in this section, means the reasonable value of all services, labor, materials, and use of scaffolding and other appliances and devices entering into and necessary to the prosecution and completion of the work ready for occupancy; provided that the cost of excavation or grading, and of painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure, is not deemed a part of such estimated cost.

SECTION 11: Saving Clause.

Nothing in this ordinance or the building code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of

action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 12: Validity.

The invalidity of any section or provision of this ordinance or the building code hereby adopted shall not invalidate other sections or provisions hereof.

SECTION 13: Inconsistent Ordinances Repealed.

Ordinances or parts thereof in force at the time that this ordinance shall take effect and inconsistent herewith, are hereby repealed.

SECTION 14: Amendments Made in Said Code.

The said code is amended and changed in the following respects:

Appendix A through Appendix Q are specifically excluded and are not adopted by this ordinance.

SECTION 15: Date of Effect.

This ordinance shall take effect 30 days after its approval as required by law.

PASSED and ADOPTED this 17th day of June, 1968.