

ORDINANCE NO. 2007-13

AN ORDINANCE AMENDING ORDINANCE NO. 2004-12 PROVIDING FOR, AND SETTING THE RATES OF PERMIT FEES, SCHEDULES AND REQUIREMENTS OF COMMERCIAL AND INDUSTRIAL SITE PREPARATION AND DEVELOPMENT IN THE CITY OF CLINTON, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City of Clinton, Arkansas, has previously passed Ordinance 2004-12 which set the rates of fees and costs for permits, inspections and reviews required in the city's zoning, subdivision and sign ordinances; and,

WHEREAS, Ordinance 2004-12 did not address the fees and costs involved to the City of Clinton for the inspection and review of proposed commercial and industrial site development projects; and,

WHEREAS, it is imperative that the City of Clinton provide these services but it is equally imperative that the City of Clinton be properly compensated for the costs associated with the delivery of these services;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON, ARKANSAS:

Section 1. Ordinance 2004-12 is hereby amended to add a new Section V which reads as follows:

V. COMMERCIAL AND INDUSTRIAL SITE PREPARATION

A. This Section applies to, but is not limited to, the site preparation of all retail and wholesale business establishments, warehouses, industrial projects, gas and oil well drilling projects, churches, schools, hospitals, clinics, nursing homes, mobile home and recreational vehicle parks, restaurants, office buildings and other establishments or uses that are permitted as of right on commercial or industrial zoned property within the City of Clinton.

B. This Section shall apply to proposed new construction as well as to proposed remodeling and additions, either inside or outside of an existing structure, but this Section shall not apply to any project where the estimated total construction is less than twenty -five thousand dollars. (\$25,000.00)

C. Permits required under this Section are in addition to any other building, zoning, sign or subdivision permit and fee required under this or other Clinton Ordinances.

D.(1) Applications for a permit under this Section shall include, in addition to the required fee, the proposed development plan which includes the setbacks, legal description, site address, proposed use of the property and estimate total construction costs.

(2) All plans must have the approval of the Zoning Official, Street Department, Water and Sewer Department and Fire Department as required by the specifics of the project.

E. The Permit Fee required under this Section shall be as follows:

<u>Total Construction Cost</u>	<u>Fee</u>
\$ 25,000.01 to \$500,000.00	\$ 500.00
\$ 500,000.01 and up	\$1000.00

Section 2. Section V of Ordinance 2004-12 is hereby renumbered as Section VI.

Section 3. Section VI of Ordinance 2004-12 is hereby renumbered as Section VII.

Section 4. A new Section VIII is hereby added to Ordinance 2004-12 that reads as follows:

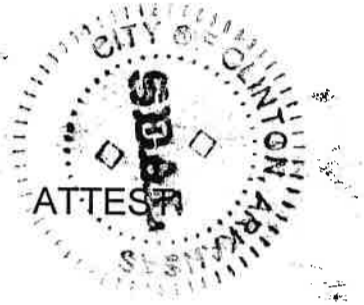
VIII PENALTIES

It shall be unlawful for any person, corporation, partnership, limited liability company or other entity of any form or kind to begin any work required to be permitted by any ordinance of the City of Clinton without having paid for and obtaining the permits required under this ordinance. A violation of this requirement shall subject the offender to a fine of up to

\$250.00 per occurrence. For purposes of this Ordinance each day that a project proceeds without the proper permit and fee shall constitute a separate occurrence.

Section 5. The efficient and harmonious application of all laws relating to land use within the City of Clinton is essential to both the public welfare and to the equal application of the law to all persons wishing to develop property within the city, therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its approval and publication as required by law.

PASSED: September 13, 2007



Roger L Rorie
Roger Rorie, Mayor

Merl Eoff
Merl Eoff, Recorder/Treasurer/Clerk, CMC

APPROVED AS TO LEGAL FORM:

Brad A. Cazort, City Attorney