

TITLE 11

BUILDINGS AND CONSTRUCTION

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- 11.05 Commercial and Industrial Construction Application
- 11.08 Plumbing Code
- 11.12 Electrical Code
- 11.16 Fire Prevention Code
- 11.20 Housing Code
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CHAPTER 11.04

BUILDING PERMIT

Sections:

- 11.04.01 Required
- 11.04.02 Application
- 11.04.03 Fees
- 11.04.04 Issuance
- 11.04.05 Penalty
- 11.04.06 Violations taken to appropriate court

11.04.01 Required Any person, firm or corporation desiring to build, construct or significantly after or remodel any building or portion thereof located in the city of Clinton, Arkansas shall first make application in writing with the Clerk of the city of such other official as the Mayor of the city may designate for the issuance of a building permit. Said application shall provide the detailed information as called for on an application form to be furnished and provided such applicant by the Clerk or designated official. (Ord. No. 93-208.)

11.04.02 Application The application for any building permit by this chapter will be submitted by the land owner concerned to the Mayor, at City Hall, in duplicate copy, and shall contain at a minimum the following:

- A. Name, mailing address, and telephone number of the applicant;
- B. Type building to be constructed or repaired (as listed in Section 11.04.01 of this chapter);
- C. Location of the building site;
- D. Outside dimensions of the proposed building or addition;
- E. Construction materials to be used for the foundation, floor, and exterior walls;
- F. Manner in which the proposed building will be anchored to the foundation;
- G. Height of the first floor level above the ground level, as measured from the highest point of the ground level:
 - 1. Prior to any grading or leveling
 - 2. After grading and leveling; and
- H. Date on which construction is proposed to begin.
(Ord. No. 93-208.)

11.04.03 Fees A fee according to a schedule established by the City Council will be charged for each building permit issued. Payment of said amount will accompany each permit application submitted, with such payment to be returned in event the application is denied. At the time such application is made, the applicant shall pay and deposit with the Clerk the sum of \$25.00. No permit shall be issued for construction which is a violation of any ordinance of the city.

Commercial Building Permit

- A. Construction
 - 1. First 500 sq. ft. of construction under roof \$50.00
 - 2. Each additional sq. ft. of construction under roof .07
 - 3. State construction surcharge =

	x .0005	
(cost of construction)		

B. Inspections

1. Construction – foundation, framing, HVAC and electrical – city of Clinton has no inspection system at this time for commercial. The city depends on the integrity of the licensed contractor.
2. Plumbing (gas, water and sewer) contact Clinton Water and Sewer Dept. 501-745-4320

Residential Building Permit

A. Construction

- | | | |
|----|--|---------|
| 1. | First 500 sq. ft. of construction under roof | \$50.00 |
| 2. | Each additional sq. ft. of construction under roof | .07 |

B. Inspections

1. Construction – foundation, framing, HVAC and electrical – city of Clinton has no inspection system at this time for residential. The city depends on the integrity of the licensed contractor.
2. Plumbing (gas, water and sewer) contact Clinton Water and Sewer Dept. 501-745-4320

Sign Permit Fees

A. Local Business – free-standing or attached to a building

- | | | |
|----|------------------------------|----------|
| 1. | Minimum fee to 60 sq. ft. | \$30.00 |
| 2. | Each sq. ft. over 60 sq. ft. | .50 |
| 3. | Maximum fee not to exceed | \$100.00 |

B. Commercial – for lease – pylon, free-standing or billboard

- | | | |
|----|--|----------|
| 1. | Each separate sign or face | \$300.00 |
| 2. | Additionally, for each sq. ft. of sign surface | .50 |
| 3. | Maximum fee for each face, not to exceed | \$400.00 |

Subdivision Permit Fees

- | | | |
|----|---|----------|
| A. | Plan review | \$500.00 |
| B. | Additionally, for each lot in subdivision | 25.00 |

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 thousand (\$20,000) dollars. (Ord. No. 2009-07, Sec. 1.).
- 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:

Total Construction Cost	Fee
\$ 25,000.01 to \$500,000.00	\$500.00
\$ 500,000.01 and up	\$1,000.00 (Ord. No. 2007-13, Sec. 1.)

Miscellaneous Permit Fees

- A. Remodel (roof line changes only)
 \$1.00 per \$1000.00 of construction cost - minimum fee of \$30.00
- B. Fence \$30.00
- C. Storm shelter \$25.00
- D. Demolition No fee
- E. Accessory – residential building (storage, etc)
 less than 500 sq. ft. \$25.00

Other Fees

- A. Variance

	Publication costs plus filing fee of (Ord. No. 03-18, Sec. 6-4.)	\$60.00
B.	Zoning changes Publication costs plus filing fee of (Ord. No. 03-18, Sec. 7-2.)	\$60.00
C.	Conditional use Publication costs plus filing fee of (Ord. No. 03-18, Sec. 8-1,c,3).	\$60.00 (Ord. No. 04-12, Sec. 1.)

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. (Ord. No. 2007-13, Sec. 4.)

11.04.04 Issuance The Mayor of the city of Clinton, Arkansas, will present each permit application to the City Council of the city of Clinton, Arkansas, for its approval or other disposition at its next regular or called meeting, with the exception that no application will be presented for the Council's consideration until it has been reviewed by the City Building Inspector and bears his recommendation as to approval or disapproval. In each case the permit shall be granted unless found to be in violation of any flood zone ordinance or other ordinance heretofore or hereinafter adopted by the city.

Any building permit issued under the provisions of this chapter will remain valid only for a period of ninety (90) days from its date of issue, and become void if construction has not begun within that period, or unless it is renewed within that period.

11.04.05 Penalty Any person, firm or corporation who shall fail to comply with this ordinance shall be guilty of a misdemeanor and punishable with a fine not to exceed \$500.00 per offense with each day to be considered a separate offense. In addition, any person violating this ordinance shall be subject to imprisonment not to exceed one month. As an additional penalty, no city services, including water and sewerage service, shall be granted or continued to any building for which no permit is obtained. (Ord. No. 93-208.)

11.04.06 Violations taken to appropriate court Violators of this ordinance may be enjoined by the city by action filed in the appropriate court. (Ord. No. 93-208.)

CHAPTER 11.05

COMMERCIAL AND INDUSTRIAL CONSTRUCTION APPLICATION

Sections:

11.05.01	Application required
11.05.02	Design approval
11.05.03	License and bonds
11.05.04	Code compliance
11.05.05	Fee due
11.05.06	Inspections
11.05.07	Certificate of Occupancy

11.05.01 Application required Prior to the start of any building or structure designed or intended to be used for either a commercial or industrial purpose, including but not limited to any public assembly facility, or any new construction or remodeling any building or structure within the City of Clinton, regardless of the intended use, the owner of the property or the owner's agent or contractor shall submit to the Clinton Zoning Official a request for a building permit of said building or structure that contains the following:

- a. Plans that include foundations, floor plans and all outside elevations.
- b. A description and plan for all driveways and entrances and exits to and from the property from any public street or highway.
- c. A detailed parking plan.
- d. A landscaping plan together with all fences required by city ordinance.
- e. Drawings of any retaining wall and drainage system that may be required.
- f. Any other details required to comply with current building codes or ordinances, in the City of Clinton, including but not limited to any required environmental impact requirements.
- g. Complete wiring and plumbing plans as well as heating and air conditioning plans, mechanical drawings and sprinkler systems.
- h. Plans for compliance with all Fire Code requirements mandated by the State Fire Code.
- i. Plans for placement of fire hydrants as well as for compliance with required fire and safety equipment required by the City or the State including but not limited to fire doors, panic hardware, exit signs and emergency lighting.
- j. Any other detail required by city ordinance or by any version of the State or City Building Code and Fire Code in force and effect at the time of the application.
- k. Said plans shall be drawn by a licensed architectural firm. (Ord. No. 2008-01, Sec. 1.)

11.05.02 Design approval The design of the front exterior facade or the design of the

front of the building or structure itself must be approved by Planning and Zoning prior to the issuance of any permits of any kind. Planning and Zoning may require additional construction and landscaping in the exterior design for appearance only, in order for permit to be issued. (Ord. No. 2008-01, Sec. 2.)

11.05.03 License and bonds All contractors and subcontractors used in the construction or remodeling of any commercial or industrial building or structure shall be licensed and bonded for the type of construction or remodeling work they are performing on the building or structure. (Ord. No. 2008-01, Sec. 3.)

11.05.04 Code compliance All construction and remodeling work must conform to the requirements of the State of Arkansas and or the City of Clinton Building and or Fire Code that is in force and effect at the time of the construction or remodeling. (Ord. No. 2008-01, Sec. 4.)

11.05.05 Fee due All fees due pursuant to any City of Clinton Ordinance for permits of any and all kinds shall be paid at the time of application. (Ord. No. 2008-01, Sec. 5.)

11.05.06 Inspections Inspections will be required during and on completion of all construction or remodeling of any commercial or industrial building or structure for: foundations; framing; erection; electrical; plumbing, mechanical; fire safety; drainage; street repair or construction or any other phase required by the Zoning Official. Inspectors shall be appointed by the Mayor and may be compensated as approved by the City Council. (Ord. No. 2008-01, Sec. 6.)

11.05.07 Certificate of Occupancy A Certificate of Occupancy must be issued by the Zoning Official prior to any occupancy of any newly constructed building or structure or prior to the occupancy of any remodeled area covered by this Ordinance. (Ord. No. 2008-01, Sec. 7.)

CHAPTER 11.08

PLUMBING CODE

Sections:

11.08.01	State Code
11.08.02	Inspection and supervision
11.08.03	Application permits
11.08.04	Bond
11.08.05	Fees
11.08.06	Street openings
11.08.07	Cross connections – backflow
11.08.08	Sewer connections
11.08.09	Fine

11.08.01 State Code

- A. The provisions and regulations of the Arkansas State Plumbing Code, and amendments thereto, now adopted, or adopted in the future, by the State Board of Health of Arkansas are made a part of this ordinance by reference, three certified copies of which shall be on file in the office of the City Clerk, and shall extend over and govern the installation of all plumbing installed, altered or repaired within or without the city of Clinton, wherever water and/or sewer service originating from the Municipal Water and/or Sewer System is furnished.
- B. Plumbing for the purposes of this ordinance is hereby defined as the definitions of Act 200 of 1951 or Arkansas and the Arkansas State Plumbing Code. Eighth Edition 1999, or any future code adopted by the State of Arkansas. (Ord. No. 03-7, Sec. 3.)

11.08.02 Inspection and supervision

- A. There is hereby created the position of plumbing inspector or inspectors who shall be employed by the city of Clinton, Arkansas.

- B. The Plumbing Inspector and inspectors shall have experience in plumbing to the extent that enables him to know when plumbing is installed correctly.
- C. The Plumbing Inspector or inspectors shall not be directly connected in anyway with any person, firm, corporation, directly or indirectly engages in the business of plumbing, or plumbing suppliers.
- D. The Inspector shall receive as full compensation for his services, a salary designated by the city of Clinton, or its Water and Sewer Commission.
- E. It shall be the duty of the Plumbing Inspector or inspectors to enforce all provisions of this ordinance, and such inspector or inspectors is hereby granted the authority to enter all buildings within or without the corporate limits of the city of Clinton, when such buildings are connected, or to be connected to the Municipal Water and/or Sewer System.
- F. The Plumbing Inspector shall prepare or cause to be prepared suitable forms for applications, permits, inspection reports and other such materials.
- G. It shall be the duty of the Plumbing Inspector to inspect and test all plumbing work for compliance with the ordinance and its adopted Plumbing Code, and to enforce changing of such installations that do not meet the requirements. It further shall be his duty to see that all persons installing or altering plumbing shall be qualified by State Law. (Ord. No. 03-7, Sec. 4.)

11.08.03 Application permits Before beginning any work n the city of Clinton, Arkansas, the person installing or altering same, shall apply to the Plumbing Inspector or other designated official and obtain a permit to do such work. Only those persons legally authorized to do plumbing may be issued permits. A permit may be issued to homeowner to install or alter plumbing in a single family residence, providing that home owner does the work himself and that the building is owned and occupied by the owner as his home. All such work shall meet the code requirements. (Ord. No. 03-7, Sec. 5.)

11.08.04 Bond Every Master Plumber doing business in the city of Clinton, Arkansas, shall execute and deliver to the city a bond with a surety bonding company in the sum of Five Thousand Dollars (\$5,000.00) to indemnify the city or any citizen for any damage caused by the failure of such Master Plumber to comply strictly with the provisions of this ordinance. No plumbing permit shall be issued to any Master Plumber unless this bond has been delivered to the city and is in full force and effect and a copy of the bond and current license is placed on file at the Water and Sewer Commission. (Ord. No. 03-7, Sec. 6.)

11.08.05 Fees

Plumbing inspection permit (includes rough-in, top-out,, final and gas inspections)	\$40.00
Water or sewer service line (if done separate from plumbing)	\$10.00
Each plumbing fixture and/or water, waste discharging device	\$1.00 per fixture

To include, but not limited to:

Water closets	Urinals	Gas Riser
Sinks	Water heaters	Gas Service
Lavatories	Water connection	Back flow preventer
Shower	Bath tubs	Sewer connection
Washing machine	Dishwasher	Floor Drain

Inspection permits for the installation, repair or replacement of water or sewer lines - \$1.00.

An addition fee of \$10.00 shall be charged for each additional trip on the part of the Plumbing Inspector, caused by the negligence of the plumber of not being ready for inspection or a return for inspection of a corrected installation. (Ord. No. 03-7, Sec. 7.)

11.08.06 Street openings

- A. All openings, cuts or excavations made in the public street or alleys to repair, replace, install plumbing or sewer lines must be made as carefully as possible and all materials excavated from the trenches shall be removed or placed where the least inconvenience to the public will be caused.
- B. All openings cuts or excavations must be replaced in precisely the same condition as before the excavation started and all rubbish and material must be removed at once, leaving the street or sidewalks clean and in perfect repair, level with the surface of the street or road.
- C. All openings shall be marked with sufficient barriers. Flares or red lamps shall be maintained around the opening at night and all other precautions shall be taken by the plumber or excavator to protect the public from damage to person or property.
- D. All openings, cuts or excavations must be repaired even with the grade of the road with concrete, unless an alternative method is approved by the Water and Sewer Commission. (Ord. No. 03-7, Sec. 8.)

11.08.07 Cross connections – backflow

- A. The Water and Sewer Commission of the city of Clinton, Arkansas, and the city Plumbing Inspector of the city of Clinton, Arkansas, be and they are hereby authorized to discontinue or cause to be discontinued all water or pre-existing service or services to any and all premises, lands, buildings or structures where it is found that an immediate hazard exists to the purity or potability of the city water supply, by reason of the requirements of the Arkansas State Plumbing Code and the City Plumbing Code and the regulations of the Arkansas State Department of Health having not been complied with.
- B. The Water and Sewer Commission of the city of Clinton, Arkansas, and the City Plumbing Inspector of the city of Clinton, be and they are hereby authorized and directed to take such steps as necessary to determine all potential hazards. It shall be the duty of said department and said inspector to immediately cause notice to go to the owner or such other person responsible for said premises, specifying said hazards, and notifying said person that in the event that said hazard is not corrected within thirty (30) days from the date of said notice, all water service shall be discontinued, thereafter until the requirements of the Arkansas State Plumbing Code, and the regulations of the Arkansas State Department of Health having been complied with. (Ord. No. 03-7, Sec. 9.)

11.08.08 Sewer connections

- A. All connections made to the sewer system of the city of Clinton shall be made with the use of PVC and fittings manufactured for use therewith, or with cast iron pipe and fittings manufactures for use therewith. Premises using other types of pipe shall not be connected to said sewer system.
- B. No connection shall be made to the sewer system of the city of Clinton until the ditch and the pipe serving the premises to be connected have been inspected and approved by a City Plumbing Inspector. (Ord. No. 03-7, Sec. 10.)

11.08.09 Fine Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) per day, together with the costs of such prosecution. Each day during which violation continues shall be a separate offense. (Ord. No. 03-7, Sec. 11.)

CHAPTER 11.12

ELECTRICAL CODE

Sections:

- 11.12.01 Adoption of electrical code
- 11.12.02 Appointment and removal of the City Inspector
- 11.12.03 Duties
- 11.12.04 Permits
- 11.12.05 Inspection
- 11.12.06 Standards

- 11.12.07 Licensing of electricians
- 11.12.08 Bond required
- 11.12.09 Qualification
- 11.12.10 Failure to comply - penalty
- 11.12.11 License to individual

11.12.01 Adoption of Electrical Code. There is hereby adopted for the city for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electric wiring and apparatus, including permits and penalties, that certain electrical code known as the National Electrical Code of the National Fire Protection Association, of which not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer of the city of Clinton, Arkansas, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date this chapter takes effect, the provisions shall be controlling in the construction, alteration, maintenance or removal of all electric wiring and apparatus within the corporate limits of the city.

11.12.02 Appointment and removal of the City Inspector. The inspection officer responsible for Administering this code shall be appointed and removed by the Mayor subject to override by the City Council.

11.12.03 Duties. He or she shall have the duty and is hereby authorized, empowered and directed to regulate and determine the placing of electric wires and other appliances for electric lights, heat or power in the city and to cause all such wires, appliances, or apparatus to be placed, constructed and guarded so as not to cause fires or accidents, endangering life or property, and to be constructed so as to keep to a minimum the loss or waste of electric current.

It shall be his or her duty to enforce all provisions of this chapter and he or she is hereby granted the authority to enter all buildings in the city in the performance of his duties at any reasonable hour.

It shall be his or her duty to inspect and/or test all electrical work and equipment or apparatus for compliance with the code. Whenever electric wiring, appliances or apparatus shall be defective or hazardous through improper manufacture or improper or insufficient insulation or for any other reason, he or she shall at once cause the removal of such defect or defects, at the expense of the owners of such wiring, appliance or apparatus.

11.12.04 Permits. No installation, alteration or removal shall be made in or of the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus or heating devices nor alterations be made thereto without a written permit therefor being first obtained from the city license issuing clerk by the person, firm or corporation having direct charge of such installation, alteration or removal.

11.12.05 Inspection. Upon the completion of the wiring, installation or alteration of any building or structure for light, heat, power, appliance or apparatus, it shall be the duty of the person, firm or corporation having direct charge of such to notify the city inspector who shall, as early as possible, inspect such wiring, installation, appliance and apparatus and if installed, altered and constructed in compliance with the permit and in accordance with the regulations of this chapter, he or she shall execute a certificate of satisfactory inspection, which shall contain the date of such inspection and the result of his examination, but no such certificate shall be issued unless such electric wiring, motors, heating devices, appliances and apparatus be in strict accord with the rules and requirements and the spirit of this chapter, nor shall current be turned on to such installation, equipment, appliance, motor, heat devices and apparatus until said certificate be issued. The amount of fee or charge to be made for such inspections and certificates is to be fixed and determined by the City Council.

11.12.06 Standards. All electrical construction, all materials, appliances, motors, heating devices, and apparatus used in connection with electrical work and the operation of all electrical apparatus within the city shall conform to the rules and requirements of the National Electrical Code current when work is performed or equipment and apparatus installed: however, the necessity, good service and said results often require larger sizes of wire, more branch circuits and better types of equipment than the minimum which is specified in the National Electrical Code. Therefore, the inspection officer supervising the enforcement of this code will have the responsibility and authority for making interpretations of the rules, for deciding upon the approval of equipment, materials, construction and for granting the special permission contemplated in a number of the rules and he, where necessary, shall follow the code procedure for securing official interpretations of the code.

11.12.07 Licensing of electricians. Any person, firm or corporation desiring to engage in the business of electrical construction or of the installation of wiring and apparatus for electric lights, appliances, heating or power in the city shall, before doing so, obtain a license therefor, the fee for which shall be Twenty-Five Dollars (\$25.00) per year which shall be paid into the city treasury before such license shall become effective.

11.12.08 Bond required. Every person, firm or corporation doing electrical business in the city shall execute and deliver to the city a bond with a surety bonding company in the sum of One Thousand Dollars (\$1,000.00) to indemnify the city or any citizen for any damage caused by the failure of such person, firm or corporation doing the electrical work to comply strictly with the provisions of this chapter.

11.12.09 Qualification. No license shall be issued until the party applying for same has given satisfactory evidence to the city inspector of his or their ability to do said electrical work in a safe and satisfactory manner. No permit for installation or alteration of any wiring, heating devices, motors, appliances and apparatus shall be issued until the license and bond herein required have been obtained.

11.12.10 Failure to comply Any person, firm or corporation who shall fail to correct any defect or defects in his or their work or to meet the required standards after having been given notice of the unfit condition by the inspector within a reasonable time, shall be refused any other permit until such defect or defects have been corrected and shall be subject to revocation of license for continual defective work or either upon conviction for violation of the provisions of this chapter. Upon failure to comply with this chapter, the inspector shall have authority, after due notice, to cut electric current in the locality concerned. Any person found in violation by a duly qualified and appointed inspector, shall comply with National Electrical Code or be deemed guilty of a misdemeanor; penalty for which shall be a fine of not less than \$10.00 nor more than \$500.00 and or up to 30 days in jail. (Ord. No. 102, Sec. 2.)

11.12.11 License to individual. Any individual desiring to perform his or her own electrical work personally shall not be required to make the required bond or to obtain the required license, but shall be required to obtain the regular permit for that particular job. Such work done by an individual must be done by him personally on his own particular job and not be a way of performing a service to the public generally.

CHAPTER 11.16

FIRE PREVENTION CODE

Sections:

- 11.16.01 Adoption of fire prevention code
- 11.16.02 Enforcement
- 11.16.03 Establishment of districts in which storage of flammable liquids in outside above ground tanks, bulk storage of liquefied petroleum gases and storage of explosives and blasting agents is to be restricted
- 11.16.04 Modifications
- 11.16.05 Appeals
- 11.16.06 Penalties

11.16.01 Adoption of fire prevention code. There is hereby adopted by the city of Clinton, Arkansas, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Standard Fire Prevention Code, of which code not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the corporate limits of the municipality.

11.16.02 Enforcement. The code hereby adopted shall be enforced by the Chief of the Fire Department of the municipality.

11.16.03 Establishment of districts in which storage of flammable liquids in outside above ground tanks, bulk storage of liquefied petroleum gases and storage of explosives and blasting agents is to be restricted. The limits referred to in Section 73 of the code hereby adopted in which storage of flammable liquids in outside above ground tanks is prohibited, the limits referred to in Section 103 of the code hereby adopted, in which bulk storage of liquefied petroleum gas is restricted, and the limits referred to in Section 53 B of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

- A. The area designated on the "Official Zoning Map" of the municipality as the Central Business District;
- B. Within fifteen hundred (1500) feet of any building structure in any built up area within the corporate limits of the municipality.

With the exception of outside above ground tanks for the storage of flammable liquids or for the bulk storage of liquefied petroleum gases having been located in such designated areas prior to the adopting date of this ordinance; provided, however, that the Fire Chief shall inspect such facilities and issue a letter of "Modification" as hereinafter set forth in Section 11.16.04.

11.16.04 Modifications. The Chief of the Clinton Fire Department shall have the power to modify any of the provisions of the code hereby adopted upon application, in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decisions of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

11.16.05 Appeals. Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the governing body of the municipality within thirty (30) days from the date of the decision appealed.

11.16.06 Penalties. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed

or modified by the governing body of the municipality or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment for not less than three (3) days nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defect within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

CHAPTER 11.20

HOUSING CODE

Sections:

- 11.20.01 Adoption of
- 11.20.02 Housing Official
- 11.20.03 Board of Appeals
- 11.20.04 Duties of Housing Official
- 11.20.05 Right of entry

11.20.01 Adoption of. There is hereby adopted by the City Council of the city of Clinton, Arkansas, that certain code of health and housing standards known as the Standard Housing Code, of which not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling on all dwellings and premises within the city limits.

11.20.02 Housing Official.

- A. The office of Housing Official is hereby created.
- B. The Housing Official, appointed by the Mayor, shall be responsible for the enforcement of this chapter.

11.20.03 Board of Appeals. There is hereby created a Board of Housing Appeals which shall consist of five (5) members appointed by the Mayor and subject to confirmation of the City Council of the city of Clinton, Arkansas. The Board shall act by a majority vote of the members present. Said Board shall have the power and be required to hold public hearings in

deciding appeals where it is alleged there is an error in law or fact in any order or decision of the Housing Official in the enforcement of this chapter.

11.20.04 Duties of Housing Official. It shall be the duty of the Housing Official to enforce all laws and provisions specified in the herein adopted Standard Housing Code.

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

CHAPTER 11.28**BUILDING CODE****Sections:**

11.28.01	Adoption of Building Code
11.28.02	Establishment of office of Building Official
11.28.03	Qualifications of Building Official
11.28.04	Duties of Building Official
11.28.05	Liability
11.28.06	Right of entry
11.28.07	Definition
11.28.08	Fees
11.28.09	Call back fees
11.28.10	Energy Code

11.28.01 Adoption of Building Code. There is hereby adopted by the City Council of the city of Clinton, 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 "Standard Building Code", of which not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer 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.

11.28.02 Establishment of office of Building Official.

- A. The office of the Building Official is hereby created.
- B. The Building Official shall be appointed by the Mayor. His appointment shall continue during good behavior and satisfactory service. 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 Mayor shall designate an acting Building Official.

11.28.03 Qualifications of Building Official. 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 or manufacture of any material, process or device entering into or used in or connected with building construction, alteration, removal and demolition.

11.28.04 Duties of Building Official.

- A. He shall receive applications required by this code, issue permits and furnish the prescribed certificates. He shall examine the 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 existing facilities in buildings and structures, he shall issue such notices or orders as may be necessary.
- B. Inspections required under the provisions of the Building Code shall be made by the Building Official or his duly appointed assistant. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the Building Code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.
- C. The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made or reports rendered and of notices or orders issued.
- D. All such records shall be open to the 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 more often if requested, including statements of permits and certificates issued, and orders promulgated.

11.28.05 Liability. Any officer or employee of the city of Clinton, Arkansas, or member of the Board of Adjustments and Appeals, charged with the enforcement of this code, acting 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 persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee because of such act performed by him in the enforcement of any provision of this code shall be defended by the City Attorney or legal representative of the city.

11.28.06 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.

11.28.07 Definition. Whenever the term "Corporation Counsel" is used in the Building Code, it shall be held to mean the City Attorney or other attorney acting for the city.

11.28.08 Fees.

- A. Building permit schedule of fees for erecting or repairing a building or structure (see Building Permit, 11.04).
- B. Building permit schedule of fees for moving of building or structure. For the moving of any building or structure, the fee should be Ten Dollars (\$10.00).
- C. Building permit schedule of fees for demolition of buildings or structures. For the demolition of building or structure, the fee should be Four Dollars (\$4.00).

11.28.09 Call back fees. If any building or structure fails for any reason to pass the Building Official's inspection and the Building Official has to re-inspect said building or structure, there will be an additional charge of Five Dollars (\$5.00) for each inspection; and any and all fees shall be paid by the person to whom the permit is issued.

11.28.10 Energy Code There is hereby adopted by the City Council of Clinton, Arkansas, for the purpose of establishing rules and regulations for energy efficient standards for new building construction, this code known as the 2014 Arkansas Energy Code, being particularly the 2014 Arkansas Energy Code 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 of this ordinance, as well as, three (3) copies of the 2014 Arkansas Energy Code, have been and now are filed in the office of the Clerk or Recorder of the city of Clinton, Arkansas, and the same ordinance is 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 Clinton, Arkansas.

CHAPTER 11.32

CONTRACTOR REQUIREMENTS

Sections:

- 11.32.01 Applicability
- 11.32.02 Misdemeanor declared
- 11.32.03 Inspections
- 11.32.04 Building applications
- 11.32.05 License and Insurance
- 11.32.06 Letters of Acceptance
- 11.32.07 Inspection and release of bonds
- 11.32.08 Enforcement and penalties
- 11.32.09 Penalties

11.32.01 Applicability This Ordinance applies to all construction of whatsoever kind, whether commercial, residential, general or otherwise, within the city limits of the City of Clinton. This Ordinance is also intended to supplement and strengthen all other applicable City Ordinances and is to be construed liberally under the well settled maxim of common law that all acts passed upon the same subject are in pari materia and must be taken and construed together and made to stand if capable of being reconciled. (Ord. No. 2009-08, Sec. 1.)

11.32.02 Misdemeanor declared All persons or entities acting, as contractors without limitation must comply with the requirements of this Ordinance. Failure to comply with this Ordinance shall be a misdemeanor and violators shall be subject to enforcement as provided in Section Nine (9) below. (Ord. No. 2009-08, Sec. 2.)

11.32.03 Inspections This Ordinance applies to Residential Construction as per Arkansas State Code, but in all cases any construction or remodeling either by licensed contractor or private individual must be permitted according to city ordinance, and all work requires inspections and must be performed to the current code in force for the city of Clinton. Inspections are required on all projects at various stages of construction prior to any foundation installed thru the completed project, with a certificate or completion issued before final project is placed in use. (Ord. No. 2009-08, Sec. 3.)

11.32.04 Building applications Prior to engaging in any construction project within the City of Clinton, all persons, entities or other business association(s) must first obtain a permit from the City through the Zoning Official to engage in such activity. In making and application for a permit to engage in construction within the City, the applicant must furnish to the City the following material, as they may be applicable to the proposal project:

- a. A full set of plans that includes all phases of the proposed construction including, but not limited to, engineering drawings, landscaping plans, materials specifications, floor plans if applicable, grading and elevations, and all other aspects of the proposed construction without limitation. The Clinton City Zoning Official shall determine what additional documents of plans may be needed on a case-by-case basis.
- b. A full and complete set of engineering drawings and diagrams for any public works project such as street or highway construction, repairs or upgrades, pipe line installations, repairs or upgrades; broadcasting towers, cell phone towers and each and every other project of whatsoever kind and without limitation., any street, curb, sidewalk, utilities and other upgrades without limitation must meet or exceed current standards or as may be required by the respective Department of the City of Clinton.
- c. A detailed parking plan whether exposed or enclosed.
- d. A detailed plan for drainage systems, retaining wall or fencing whether new, rebuilt or remodeled.
- e. A detailed plan or drawings for any electrical work to be done, whether new, rebuilt or remodeled.

- f. A detailed plan required for compliance with all other applicable building or construction codes, including but not limited to plumbing, electrical fire or other code applicable to the proposed work.
- g. A detailed plan for placement of all fire hydrants as well as for compliances with required fire and health and safety equipment required by the City or the State including but not limited to fire doors, exit signs, panic hardware and emergency lighting.
- h. Any other detail required by the City Zoning Official, City ordinances, International Building Code or Arkansas State Codes required or adopted by the City of Clinton.
- i. All plans, drawings, diagrams, or other written specifications shall be prepared by a licensed architect or architectural firm unless such requirement is waived or modified by the Clinton Zoning Official as in small projects. Provided, however, something adequately detailing the propose project must be included in any application for a permit for any project of whatsoever kind. (Ord. No. 2009-08, Sec. 4.)

11.32.05 License and Insurance All persons or entities acting as residential contractors without limitation must provide in favor of the City of Clinton in the amount of not less than twenty five thousand (\$25,000), a copy of the state contractor's license, proof of workers compensations insurance as may be required in order to maintain the current state contractor(s) license. These filings must be kept current as a prerequisite for being allowed to be a contractor within the City of Clinton. Commercial contractors and all other contractors' bond amounts shall be for the full cost of the project, if the project cost totals more than twenty thousand dollars (\$20,000), and shall remain for one (1) year following completion as provided herein. (Ord. No. 2009-08, Sec. 5.)

11.32.06 Letters of Acceptance Upon completion of the work, including satisfactory corrective work as described in any punch list, the City will issue a letter of acceptance to the license contractor(s), if applicable to the owner, or other person or entity accepting the construction work performed contingent upon receipt of the following:

- a. One year maintenance bond. Upon completion of the work the commercial and general contractors shall deliver to the City a maintenance bond in the amount of one hundred percent (100%) of the actual cost of all public work or improvements of whatsoever kind. The bond shall be made payable to the City of Clinton and its date shall coincide with the date on the letter of acceptance and run for a term of one year thereafter. In the event the contractor shall fail, neglect or refuse to make corrections to any defective work, defective materials, improper installation or other full or partial failure of any kind attributable to the contractor the bond will be used to hire a contractor to make corrections and to pay for the City's costs, expenses and legal fees associated with the corrective work. This Section is to be read together with any other applicable section of the Ordinances of the City of Clinton.
- b. A full and complete set of "as constructed" drawings and specifications.
- c. Legible copies of all testing results and reports.

- d. All originals of operations and maintenance data, instructions, manuals or other original manufacturing information and data that were provided to the contractor or available for the owner(s) use.
- e. Written warranty and/or guarantee. On any public works project of any kind whatsoever before any letter of acceptance is issued, or final payment made, the commercial or general contractor shall provide the City or the project owner with a written warranty and /or guarantee against defective work, faulty materials and/or workmanship valid for such term as may be required by the Zoning Official of the Zoning Commission. The said term may be on a project-by-project basis and shall not be less than one year . In the event of a claim for defects of any species whatsoever , or faulty workmanship of any kind the contractor shall respond in a timely manner, and shall perform all corrective work, replace all defective equipment or materials at no cost to the City of Clinton or owner. (Ord. No. 2009-08, Sec. 6.)

11.32.07 Inspection and release of bonds Within thirty (30) days prior to the expiration of any bond, the City shall inspect the project for any deficiencies and notify the contractor of any corrective work or action that should be discovered and needed. At the end of the bond period the City shall return the bond in full to the contractor providing it was not necessary that the bond be used for an independent contractor, or for the city to perform corrective work. The City will not hire an independent contractor and/or utilize the bond except in the case of an emergency or when the contractor fails, refuses or otherwise does not respond and/or complete any corrective work in a timely and professional manner. Any unused portion of the bonds will be returned. (Ord. No. 2009-08, Sec. 7.)

11.32.08 Enforcement and penalties After the effective date of this Ordinance:

- a. No documents may be accepted by the applicable recorder for recording unless approved by the Zoning Official and/or Zoning Commission.
- b. The provisions of this ordinance shall be administered and enforced by the Zoning official, or by other designees appointed by competent authority.
- c. No utility (public or privately owned) shall extend its facilities to service any area unless one of the following applies:
 1. The extension is to an area where a service previously existed or extension of the new service is approved by the Zoning Official.
 2. Installation of utilities is required before the project can receive approval for filing for record. In this event, the Zoning Commission will grant the utilities permission to extend facilities in accordance with the plans, specifications and drawings hereinabove approved for this project. (Ord. No. 2009-08, Sec. 8.)

11.32.09 Penalties An person or entity who shall violate any of the provisions of this Ordinance of fails to comply with any Order therewith or with any of the requirements thereof, shall be guilty of a misdemeanor and be punished by a fine of not more that five hundred dollars (\$500.00) for each day of the violation following final warning or notice thereof. Each day such violation is permitted to exist shall constitute a separate offense. The City of Clinton, or owner(s) of any property or premises or part thereof where anything in violation of this Ordinance shall be placed, allowed, or suffered to exist or shall exist, and any engineer, contractor, agent person or other entity employed in connection therewith and who may have assisted in the commission of such violation, shall be guilty of separate offense and upon conviction thereof shall be fined as provided herein. (Ord. No. 2009-08, Sec. 9.)