

ORDINANCE NO. 328
(BUILDING PERMIT ORDINANCE)

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RECTOR, ARKANSAS, THAT:

SECTION 1. BUILDING PERMITS

The owner of any land situated within the incorporated limits of the City of Rector shall neither construct nor allow construction or placement, on such land, of any building or structure, including mobile homes, of a type set forth in sub-paragraphs (a) through (d) below, without having obtained a building permit from the City of Rector for such construction. The aforementioned permit will likewise be required in event of remodeling or repair of such structures, but only if the cost exceeds 50% of their present value.

- (a) Single family residence
- (b) Multiple family residence
- (c) Any building in which, or from which, any business, commercial enterprises, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes.
- (d) Mobile homes

SECTION 2. APPLICATION FOR BUILDING PERMIT

The application for any building permit required by this ordinance will be submitted by the landowner or builder to the Mayor of Rector at City Hall, in duplicate copy and shall contain as 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 1 of this ordinance.)
- (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 and/or leveling
 - (2) After grading and leveling

Note: The land shall not be less than twenty-four (24) inches from the ground to the first floor level unless on slab.

- (h) Date on which construction is proposed to begin.
- (i) A declaration that the owner will comply with Ordinance No. 293 conforming to the Southern Building Code, Ordinance No. 294 conforming to the National Electrical Standards and Ordinance No. 296 conforming to the National Plumbing Code, all adopted in 1968 by the City of Rector.

The Mayor shall be required to keep a journal of the applications and date of approval. Funds received shall be paid into the treasury of the City of Rector. The city shall furnish a printed sign with the building permit to the applicant which shall be posted in the front yard where the construction is taking place.

SECTION 3. FEEES FOR BUILDING PERMITS

A fee will be charged for the building permit and said fee shall be set by the City Council. Payment will accompany each permit application submitted, with such payment to be returned in the event the application is denied.

SECTION 4. ISSUANCE OF BUILDING PERMITS

The Mayor will present each permit application to the City Council 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. The building inspector shall be responsible to inspect the property and to report the failure of the builder or property owner to comply with the requirements of this ordinance. Nothing contained in this ordinance shall prevent an aggrieved party from appearing before the City Council for relief in the event the party has reason to believe that the city building inspector has acted arbitrarily or capriciously.

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, under the rules and regulations promulgated by the National Flood Insurance Act of 1968 and amendments thereto or Ordinances No. 293, 294 and 296 of the City of Rector.

Any building permit issued under the provisions of the ordinance will remain valid only for a period of 90 days from its date of issue and becomes void if construction has not begun within that period, or unless it is renewed within that period. Any owner may commence construction immediately upon application to the Mayor and without approval of the Council at his own risk. The Mayor will submit the application to the City Council at the earliest possible time. If the permit is not approved, the owner will be compelled to cease construction until he confirms to the standards set out in the ordinance and ordinances adopting the various codes described in Paragraph (i) of Section 2.

In the event construction has not begun within the original 90 day period granted under the original building permit, the applicant may apply for a renewal for which a fee will be charged as set by the City Council.

Any person receiving written notification from the City of Rector that he is in violation of the provisions of this ordinance shall have a period of 30 days following his receipt of such notice in which to effect compliance, or otherwise will, upon conviction, be subject to a fine of no more than \$10.00 per day for so long as he remains in violation. Nothing herein shall prevent the City of Rector from petitioning a court of equity to compel the owner to remove the structure.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed and this ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect on Feb 2, 1976.

Passed and approved by the City Council of the City of Rector, Arkansas, this 2 day of Feb, 1976.

J. H. Hahler
Mayor

Attest:

Lavern Manchester
Clerk

RESOLUTION NO. 328-A

WHEREAS, the City of Rector, Arkansas has adopted and is enforcing a building code, and

WHEREAS, Section 1 of Ordinance No. 328 of the aforesaid prohibits any person, firm or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Mayor, and

WHEREAS, the Mayor and Building Inspector must examine all plans and specifications for the proposed construction when application is made for a building permit.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rector, Arkansas as follows:

1. That the Mayor and Building Inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage; and

2. That the Mayor and Building Inspector shall review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and

3. That the Mayor and Building Inspector shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

Dated Passed: 2/2/74

J. H. Habler

Mayor

(Certification)

RESOLUTION NO. 328-B

WHEREAS, certain areas of Rector, Arkansas, are subject to periodic flooding from streams and ditches, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this City Council to require the recognition and evaluation of flood and/or mudslide hazards in all official actions relating to land use in the flood plain areas having special flood hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Arkansas Statutes.

NOW, THEREFORE, BE IT RESOLVED, that this City Council hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force for those areas having flood or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and

2. Vests the Mayor with the responsibility, authority, and means to:

(a) Delineate or assist the Administrator, at his request, in delineating the limits of the areas having special flood hazards on available local maps of sufficient scale to identify the location of building sites.

(b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain.

(c) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify flood plain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining flood plain and/or mudslide areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain management measures.

3. Appoints the Building Inspector to maintain for public inspection and to furnish upon request a record of elevations(in relation to mean sea level) of the lowest flood(including basement) of all new or substantially improved structures located in the special flood hazard areas. If the lowest flood is below grade on one or more sides, the elevation of the flood immediately above must also be recorded.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Date Passed: 2/2/76

J H Habbe

Mayor

(Certification)