

**CITY OF LAKEVIEW  
BAXTER COUNTY ARKANSAS  
ORDINANCE 14-01**

**AN ORDINANCE TO REPEAL ORDINANCE 23, 99-08, 00-04 AND 04-02 RELATING TO THE BUILDING CODE AND BUILDING OFFICIAL FOR THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS AND RECREATE SAME.**

**WHEREAS**, Ordinances 23, 99-08, 00-04 and 04-02 are seemingly outdated and potentially misleading, and

**WHEREAS**, it is imperative that ordinances of the City should be more readily understood so they can be objectively enforced.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lakeview, Baxter County, Arkansas that Ordinance 23, 99-08, 00-04 and 04-02 are herewith repealed.

**BE IT FURTHER ORDAINED AND ENACTED** that standards covering the Building Code, provision for Fire Limits, the reestablishment of the Office of Building Official and for other purposes are recreated as follows:

**SECTION I – OFFICE OF BILDING OFFI CIAL**

- A) The office of Building Official having been established is hereby confirmed and the City Official in charge shall be known as the Building Official. For purposes of definition the Building Official may also be referred to as the City Inspector
- B) The Building Official shall be appointed by the Mayor and approved by the Council. Such appointment shall continue during good behavior and satisfactory service. Such Person may be removed from office for cause after full opportunity was afforded to be heard on specific charges.
- C) During temporary absence or disability of the Building Official, the Mayor shall designate an acting Building Official.

**SECTION II- QUALIFICATIONS OF BUILDING OFFICIAL**

- A) The Building Official shall be of good moral character and shall be physically capable of performing the necessary inspections. Person shall be versed in the approved method of building, electrical, plumbing and gas construction and installation, the statutes, laws and ordinances of the State of Arkansas and the City of Lakeview, Baxter County, Arkansas, relating to building, electrical, plumbing and gas work, the International Building Code, the National Electrical Code, and the Arkansas State Plumbing Code. Said person shall be qualified to perform the duties of the Building, Electrical and Plumbing Inspector and shall be licensed as may be required.
- B) Individual shall not have any interest whatsoever directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or connected with the building construction, alteration, removal and demolition.
- C) The Building Official shall make written reports monthly to the Lakeview City Council including statements of permits issued and status of said permits or orders issued.
- D) The Building Official shall act as Ex Officio Electrical Inspector, and shall have all powers and perform all duties connected with that office.
- E) The Building Official shall act as Ex Officio Plumbing Inspector, and shall have all powers and perform all duties connected with that office.

- F) The Building Official shall receive such compensation for service rendered, to be designated and provided for by the City of Lakeview.

### **SECTION III – ADOPTION OF BUILDING CODE**

- A) The document being marked and designated as the International Building Code 2006 Edition or the latest edition adopted by the State of Arkansas including all Appendix Chapters as published by the International Code Council is hereby adopted by reference unless hereinafter specifically amended or deleted by the City of Lakeview, Baxter County, Arkansas, hereto and is hereafter known as the “Building Code.”
- B) **REVISION TO BUILDING CODE**
1. Section 101.1 **Title.** These regulations shall be known as the “Building Code” of the City of Lakeview, Baxter County, hereinafter may be referred to as “this code”.
  2. Section 3412.1 **Applicability.** April 16, 1979 shall be inserted as the effective date in which building codes were effective within the City of Lakeview, Baxter County.

### **SECTION IV – PLACEMENT SURVEYS**

- A) A placement survey shall be required prior to the issuance of a building permit for any new residential or commercial building. The survey must be done by a registered surveyor at the expense of the property owner.
- B) A placement survey may also be required, at the discretion of the Building Official for the construction of any additions to existing residential or commercial structures.

### **SECTION V – APPLICATION, PERMITS**

- A) All applications for permits shall be made on forms provided and shall be accompanied by appropriate fees as established by the Council from time to time by resolution.
- B) Fees shall be specified in the most current Council resolution a copy of which may be obtained from the City Building Official.
- C) All building permits shall have a one (1) year expiration date. Extensions may be granted on merit, i.e., conditions beyond the applicant’s control, at the discretion of and per conditions set by the Building Official.

### **SECTION VI – PENALTIES**

- A) Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, fees specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of the Code in the execution of work nor from any other penalties presented herein.
- B) Any person, firm, or corporation found guilty or willfully violating any provision of this ordinance shall be subject to a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred-fifty Dollars (\$250.00) together with the costs associated with such prosecution. Each day during which such violation continues shall be deemed to be a separate offense.

**SECTION VII – COMPLIMENTARY CLAUSE** – The provisions of the various Codes adopted by the City regulating construction and occupancy of buildings and structures, including, but not limited to the Building Code, Fire Code, Electrical Code, Plumbing Code, Mechanical Code and the like shall be complimentary one to the other. In the event that a provision of one conflicts with the provision of another, the more stringent shall prevail.

**SECTION VIII - SEVERABILITY** – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

**SECTION IX- EMERGENCY CLAUSE-** This ordinance being necessary to insure compliance with terms, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its passage.

**PASSED, ADOPTED AND APPROVED** this 21 day of January, 2014 by the Lakeview City Council comprised of Ann Manley, Joe Gies, Wade Robson, Bea Crites and Bill Svehla on motion by Ald. Manley seconded by Ald. Svehla with a roll call vote of 5 Yeas and 0 Nays.

**Attest:**

*Rebecca Barton*

Rebecca Barton, Recorder/Treasurer

*Dennis A. Behling*

Dennis Behling, Mayor