

TITLE 11

BUILDINGS AND CONSTRUCTION

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- 11.04 Building Code
- 11.08 Plumbing Code
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CHAPTER 11.04

BUILDING CODE

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11.04.01 Adoption There is hereby adopted by the City Council of the city of Coal Hill, 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, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1955 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 Coal Hill, 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 structures within the corporate limits of the city of Coal Hill, Arkansas. (Ord. No. 5-1-2001, Sec. 1.)

11.04.02 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 and subject to confirmation of the City Council. 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 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. (Ord. No. 5-1-2001, Sec. 2.)

11.04.03 Duties It shall be the duty of the Building Official to enforce all laws relating to the construction, alteration, removal, and demolition of buildings and structures. (Ord. No. 5-1-2001, Sec. 3.)

11.04.04 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. (Ord. No. 5-1-2001, Sec. 4.)

11.04.05 Definitions

Corporation Counsel shall mean the attorney for the city of Coal Hill, Arkansas.

Municipality shall mean the city of Coal Hill, Arkansas. (Ord. No. 5-1-2001, Sec. 5.)

11.04.06 Fire limits established The fire limits of the city of Coal Hill, Arkansas, are hereby established as follows: Beginning at the corporate limits of the city of Coal Hill, Arkansas, to the point of beginning. (Ord. No. 5-1-2001, Sec. 6.)

CHAPTER 11.08

PLUMBING CODE

Sections:

- 11.08.01 Plumbing permits
- 11.08.02 Applications
- 11.08.03 Inspections
- 11.08.04 Displaying permit
- 11.08.05 Fine
- 11.08.06 Plumbing inspections
- 11.08.07 Plumbing Inspector

11.08.01 Plumbing permits From and after the passage and approval of this ordinance, any person, partnership, firm or corporation responsible for commencing or engaging in the construction or addition to any building or structure, of any kind or nature, located within the city of Coal Hill, Arkansas, or to which the city of Coal Hill provides water and/or sewer service shall apply for and obtain a plumbing permit at the Coal Hill City Hall, Coal Hill, Arkansas. (Ord. No. 93-2, Sec. 1.)

11.08.02 Applications All applications for permits shall be made on suitable forms provided and the completed application shall be accompanied by fees in accordance with Section 11.08.03. (Ord. No. 93-2, Sec. 2.)

11.08.03 Inspections The City Inspector of the city of Coal Hill shall make inspections on three (3) different occasions at a total cost of Ten Dollars (\$10.00). The City Inspector shall insure that all plumbing meets all requirements as set forth in the Arkansas State Plumbing.

If at any one of these three (3) inspections the plumbing is not in compliance with the Arkansas State Plumbing Code necessitating a fourth (4th) inspection, an additional fee in the amount of Five Dollars (\$5.00) shall be imposed. All fees as set forth herein must be paid in full before the certificate of inspection is delivered by the Plumbing Inspector. No sewer or water service shall be provided to any dwelling, building or other structure unless a certificate of inspection has been issued for the same. (Ord. No. 93-2, Sec. 3.)

11.08.04 Displaying permit If any person, partnership, firm or corporation shall fail to display a plumbing permit at the job site, the City Inspector shall order that all construction or work cease until such time as a permit is issued and displayed. (Ord. No. 93-2, Sec. 4.)

11.08.05 Fine It shall be unlawful for any person, partnership, firm or corporation to fail to obtain a plumbing permit as hereinabove set out and any person, partnership, firm or corporation violating this ordinance shall be deemed guilty of a misdemeanor and fined the sum of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). (Ord. No. 93-2, Sec. 5.)

11.08.06 Plumbing inspections

Plumbing is defined as the definitions of Act 200 of 1951 of Arkansas and the Arkansas State Plumbing Code.

The provisions and regulations of the Arkansas State Plumbing Code, and amendments thereto, adopted by the State Board of Health of Arkansas, are made a part of this ordinance by reference, three (3) 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 Coal Hill, Arkansas, wherever and/or sewer system is furnished. (Ord. No. 9, Sec. 1-2.)

11.08.07 Plumbing Inspector

- A. There is hereby created the position of Plumbing Inspector or Inspectors who shall be employed by the city of Coal Hill, Arkansas.
- B. The Plumbing Inspector or 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 engaged in the business of plumbing or plumbing suppliers. (Ord. No. 9, Sec. 3.)

CHAPTER 11.12

CONDEMNED STRUCTURES

Sections:

- 11.12.01 Prohibited
- 11.12.02 Condemnation authorization
- 11.12.03 Resolution of Council
- 11.12.04 Notice to owner
- 11.12.05 Abatement of nuisance; removal by city
- 11.12.06 Vacation premises
- 11.12.07 Allowing premises to be occupied
- 11.12.08 Occupying premises
- 11.12.09 Parts of structures as nuisances
- 11.12.10 Disposal of removed structure
- 11.12.11 Proceeds of sale
- 11.12.12 Failure to follow court order

11.12.01 Prohibited It shall be unlawful for any person to own, keep or maintain any house, mobile home, trailer, building, structure and/or portion thereof, within the corporate limits of the city which constitutes a nuisance and which is found and declared to be a nuisance by resolution of the City Council. A portion of a building or structure shall mean and include, but shall not be limited to, areas served by a separate utility meter or meters, or having a separate entrance thereto. (Ord. No. 8-6-2013-1, Sec. 1.)

11.12.02 Condemnation authorization Any house, mobile home, and/or structure, or portion thereof, which is found and declared to be a nuisance by resolution of the City Council will be condemned and vacated, or be vacated, torn down and removed as provided in this article. (Ord. No. 8-6-2013-1, Sec. 2.)

11.12.03 Resolution of Council The resolution of the City Council condemning any house, building and/or structure, or portion thereof, which constitutes a nuisance, will include in the resolution an adequate description of the house, mobile home, trailer, building and/or structure, or portion thereof: the name, if known, of the owner thereof, shall set forth the reason the house, building and, or structure, or portion thereof, is or has been condemned as a nuisance. (Ord. No. 8-6-2013-1, Sec. 3.)

11.12.04 Notice to owner After a house, mobile home, trailer, building and/or structure, or portion thereof, has been found and declared to be a nuisance and condemned by resolution as provided in this article, a true or certified copy of the resolution will be mailed by certified mail, to addressee only, to the owner thereof if the whereabouts of the owner thereof are known, or if his address is known, and a true or certified copy of the resolution shall be posted at a conspicuous place on the house, mobile home, trailer, building and/or structure or portion thereof if the owner of the house, mobile home, trailer, building and/or structure or portion thereof are unknown or if his whereabouts or last address is unknown, the posting of the copy of the resolution as provided in this section will suffice as notice. (Ord. No. 8-6-2013-1, Sec. 4.)

11.12.05 Abatement of nuisance; removal by city If the house, mobile home, trailer, building and/or structure or portion thereof constituting a nuisance has not been torn down and removed, or the nuisance otherwise abated within thirty (30) days after the posting of the true or certified copy of the resolution at a conspicuous place on the house, mobile home, trailer, building and/or structure, or portion thereof, as aforesaid, the City Water Commission shall cut off and stop water service to the house, mobile home, trailer, building and/or structure, or portion thereof, is served by the City Water Commission.

If the house, mobile home, trailer, building and/or structure, or portion thereof constituting a nuisance has not been vacated, or not torn down and removed, or said nuisance otherwise abated, within thirty (30) days after the posting of the resolution of condemnation as aforesaid, the house, mobile home, trailer, building and/or structure, so condemned in its entirety shall be torn down and/or removed by the City Inspector, or such other official, person or persons as shall be designated by the City Council. (Ord. No. 8-6-2013-1, Sec. 5.)

11.12.06 Vacation premises If any house, mobile home, trailer, building and/or structure or portion thereof is occupied at the time of the posting thereof as a nuisance as provided in this article, the occupant or occupants thereof shall have thirty (30) days in which to vacate the premises after the posting, and any occupancy or holding over from and after the mentioned thirty (30) days from the posting shall constitute a misdemeanor. (Ord. No. 8-6-2013-1, Sec. 6.)

11.12.07 Allowing premises to be occupied It shall be unlawful for the owner of any house, mobile home, trailer, building and/or structure, or portion thereof, posted as a nuisance under this article, to lease, let or otherwise allow to be occupied any such house, mobile home, trailer, building and/or structure, or portion thereof, after it shall have been vacated pursuant to the provisions of this article. (Ord. No. 8-6-2013-1, Sec. 7.)

11.12.08 Occupying premises It shall be unlawful for any person to occupy, by lease or otherwise, any house, mobile home, trailer, building and/or structure, or portion thereof after it shall have been ordered vacated pursuant to the posting of condemnation under this article, and any person so occupying it shall be guilty of a misdemeanor. (Ord. No. 8-6-2013-1, Sec. 8.)

11.12.09 Parts of structures as nuisances It is the express purpose and intent of the City Council that if any house, mobile home, trailer, building and/or structure containing a portion thereof which constitutes a nuisance is not subject to tearing down and removing in its entirety, then the portion thereof so constituting a nuisance shall be vacated and kept vacated. (Ord. No. 8-6-2013-1, Sec. 9.)

11.12.10 Disposal of removed structure The City Inspector or such other official or person as shall be designated by the City Council to tear down and remove any house, mobile home, trailer, building and/or structure constituting a nuisance will accomplish and effect the removal thereof and dispose of it in such a manner as deemed appropriate in the circumstances, and to that end, if it has substantial value, shall sell the house, mobile home, trailer, building and/or structure, or any saleable material thereof, by public sale to the highest bidder for cash, ten (10) days' notice of the sale being first given by one (1) publication in some newspaper having a general circulation in the city to accomplish and effect its removal and the abatement of the nuisance. (Ord. No. 8-6-2013-1, Sec. 10.)

11.12.11 Proceeds of sale All the proceeds of the sale under this article of any house, mobile home, trailer, building and/or structure, or the proceeds of the sale of saleable materials therefrom, and all fines collected from the provisions of this article, shall be paid by the person collecting them to the City Treasurer. If any such house, mobile home, trailer, building and/or structure or the saleable materials thereof are sold for an amount which exceeds all costs incidental to the abatement of the nuisance (including the cleaning up of the premises) by the city, plus any fine imposed, the balance will be returned by the City Treasurer to the former owner of the house, mobile home, trailer, building and/or structure constituting the nuisance. (Ord. No. 8-6-2013-1, Sec. 11.)

11.12.12 Failure to follow court order If the owner of any house, mobile home, trailer, building and/or structure judicially found to be a nuisance under this article, fails or refuses to abide by the orders of the court, the City Inspector or such other official or person referred to in 11.12.05 and 11.12.10, will take such action as provided in 11.12.05 and 11.12.10 as will be applicable to such owner. The provision contained in the immediately preceding sentence applies independently of any action as may be taken by the court judicially declaring the nuisance. (Ord. No. 8-6-2013-1, Sec. 12.)