

TITLE 11**BUILDINGS AND CONSTRUCTION CODE 2012****Chapters:**

- 11.04 Building Permit
- 11.08 Plumbing Code
- 11.12 Electrical Code
- 11.16 Fire Prevention Code
- 11.20 Housing Code
- 11.24 Condemned Structures
- 11.28 Building Code
- 11.32 Gas Code
- 11.36 Energy Code

CHAPTER 11.04**BUILDING PERMIT****Sections:**

- 11.04.01 Permit fees

11.04.01 Permit fees The following schedule of building permit fees and other fees is hereby established:

Permit Fees

Total Valuation	Fee
Up to \$5,000.00	\$10.00 per thousand or fraction thereof, minimum of \$30.00.
\$5,001.00 to \$15,000.00	\$50.00 for the first \$5,000.00 plus \$7.00 for each additional thousand or fraction thereof, to and including \$15,000.00.
\$15,001.00 to \$50,000.00	\$120.00 for the first \$15,000.00 plus \$7.00 for each additional thousand or fraction thereof, to and including \$50,000.00.

\$50,001.00 to \$100,000.00	\$365.00 for the first \$50,000.00 plus \$6.00 for each additional thousand or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$665.00 for the first \$100,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,001.00 and up	\$2,265.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

Special Non-Permitted Inspection Fee

Minor plumbing and electrical installations that do not require a building permit	\$30.00
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Moving Fee

For the moving of any building or structure	\$250.00 fee waived for the removal of mobile homes
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Outside City Inspection Fees

When the City is requested to make a plumbing inspection of plumbing installed outside the corporate limits of the City that is to be connected to the City water or City sanitary sewer system, \$50.00 shall be assessed per inspection visit.

Where work for which a permit is required is started or proceeded with prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the permit requirements in the execution of the work nor from any other applicable penalties.

CHAPTER 11.08

PLUMBING CODE

Sections:

- 11.08.01 Plumbing Code adopted
- 11.08.02 Rules and regulations
- 11.08.03 Definitions

11.08.04	Building/Plumbing Inspector
11.08.05	Apprentice plumbers
11.08.06	Business license/building permits
11.08.07	Refusal and suspension of license/permit
11.08.08	Plumbers liability insurance
11.08.09	Responsibilities of licensed Master Plumber
11.08.10	Inspection and tests
11.08.11	Liability for damages
11.08.12	Uncovering plumbing work
11.08.13	Exemptions
11.08.14	Penalties

11.08.01 Plumbing Code adopted There is hereby adopted by the City Council of the city, by reference thereto, the provisions set forth in the Arkansas State Plumbing Code, Rules and Regulations of the State Board of Health governing the construction, installation and inspection of plumbing and drainage, issued by the Arkansas State Board of Health, Little Rock, Arkansas. Also adopted by the City Council of the city are the provisions of the Arkansas State Board of Health rules and regulations pertaining to septic tank systems, and the provisions thereof shall be controlling within the corporate limits of the city.

11.08.02 Rules and regulations The City Building/Plumbing Inspector is hereby authorized to make such written rules and regulations concerning plumbing as may be necessary to implement and carry out the purposes of this ordinance, said rules and regulations to become effective upon approval by the City Council.

11.08.03 Definitions. The definitions in this code shall correspond to the definitions contained in the latest state adopted version of the Arkansas State Plumbing Code.

11.08.04 Building/Plumbing Inspector

- A. Provision for inspector There is hereby created the position of Building/Plumbing Inspector of the city, and as many assistants as are needed to discharge the duties of this office.
- B. Designation of inspectors The Building/Plumbing Inspectors shall be such persons as may be designated inspectors by majority vote of the City Council.
- C. Salary of inspector The Building/Plumbing Inspector and his assistants shall receive, as full compensation for their services, such salaries or fees as the City Council may direct.
- D. Duties of inspector investigation, enforcement: It shall be the duty of the Building/Plumbing Inspector and his assistants to enforce the provisions of this

code to make investigations, to inspect and/or test plumbing work, and to issue building permits on suitable forms furnished by the city.

- E. Inspector; right of entry The Building/Plumbing Inspector or his assistant and other persons authorized by the Inspector is hereby granted the authority to enter upon all property and all buildings in the city in the performance of his duties between the hours of eight a.m. and five p.m. daily, except that in emergency the Building/Plumbing Inspector may enter buildings for such purposes at other than the above designated hours, and may disseminate information relative to the provisions of this ordinance.

11.08.05 Apprentice/journeymen plumbers A person who is qualified under the Arkansas State Apprentice program shall be permitted to work inside the city as an apprentice/journeyman under the supervision of a master plumber and after obtaining a business license.

11.08.06 Business license/building permit

- A. Any person desiring to install or replace any plumbing work, as defined in this ordinance within the city must first procure a business license and/or building permit, which shall be obtained by payment to the City Clerk of the fees hereinafter provided, who shall then issue to such applicant a license. Applicants shall possess a master plumber's license, issued by the Arkansas State Board of Health. A business license and/or building permit shall be applied for and obtained from the office of the City Clerk.
- B. Non-permitted home owners are allowed to install plumbing in a single family residence provided the property owner does the work himself and the building is owned and occupied by such owner as his home. All plumbing installed by a home owner must conform to the Arkansas State Plumbing Code and must be inspected by the City Inspector. Home owners are responsible for notifying said inspector.
- C. Certain installations shall be interpreted to fall under the definition of "Plumbing" as set out above in this code, because such installations will be directly or indirectly connected to or served by a public or private water supply and/or sewer system. However, because of the size of the job, and the technical or specialized nature of the work, the City Building/Plumbing Inspector is authorized to require a building permit to contractors which he determines to be qualified and experienced to make such installations. This includes, but is not limited to the following types of installations:

1. Swimming pools
2. Automatic fire sprinkler systems and stand-pipes
3. Special sewage disposal systems including sewer mains in connection therewith, and manufacturing machinery together with pumps and tanks used in conjunction therewith.

11.08.07 Refusal and suspension of building permit and/or business license Any person engaged in the business of installing plumbing work who shall fail to correct promptly, any defect in any work done by him contrary to this ordinance after having been notified thereof by the Building/Plumbing Inspector, shall not be issued any further licenses/permits until such defect has been corrected; and in any case in which any person shall continue to or persistently violate the ordinances of the city in regard to plumbing work or the orders of the Building/Plumbing Inspector in relation to the same, the license/permit of such person shall be suspended or revoked.

11.08.08 Plumbers liability insurance Every master plumber actively engaged in the plumbing business in the city shall be required to carry liability insurance as set out below and shall maintain such insurance in good standing and in force for the duration of any job, work or project within the city:

Bodily Injury	\$25,000.00 each person \$50,000.00 each accident
Property Damage	\$25,000.00 each accident \$50,000.00 aggregate

Such active master plumber shall file with the City Clerk a certificate or certificates of insurance coverage, the number of said policy or policies, stating that said master plumber, his agents, servants, employees, have obtained a contractors liability insurance policy in the minimum coverage as specified. No plumber's bond shall be required of master plumbers engaged in the plumbing business in the city.

11.08.09 Responsibilities of the licensed Master Plumber

- A. It shall be the duty of the Master Plumber or his authorized representative to give 24 hour advance notice to the Building/Plumbing Inspector when the plumbing work is ready for an inspection.
- B. It shall be the duty of the Master Plumber to make sure that the plumbing work will stand the inspection before he requests the Building/Plumbing Inspector to make an inspection of the plumbing work.
- C. It shall also be the duty of the Master Plumber to provide ready access to the premises where the requested inspection is to be made.

11.08.10 Inspection and tests

- A. There shall be a minimum of three inspections by the Building/Plumbing Inspector or assistants when plumbing is installed in any building. The first such inspection to be known as the rough-in inspection and the second to be known as the top-out inspection and the third as the final inspection.
1. The “rough-in” inspection is to be made when the sewer drainage or water piping is installed but before concealing the plumbing work.
 2. Top out inspection consists of the venting of the sewer drains.
 3. The “final” plumbing inspection is to be made when all plumbing fixtures are connected and the plumbing job is completed.
- B. The Building/Plumbing Inspector shall have the legal right to inspect and test an existing plumbing or drainage installation when he has reason to believe that such system is not safe for the use it is intended. When such inspections or tests indicate a faulty or unsafe system, the owner shall recondition or replace such system in order to render it safe.

11.08.11 Liability for damages The issuance of permits or certificates of approval as required by this section shall not be construed as relieving any person from liability for damages to persons or property in connection with the operation, control or installation of any plumbing work, and the city shall not be held as assuming any liability by reason of the issuance of permits or certificates of approval. The intention of the provisions of this ordinance is to afford the public safety to life and property insofar as such safety can be provided by law.

These sections shall not be construed to relieve from or lessen the responsibilities of any person, firm, or corporation, owning, operating or installing plumbing work, appliances, apparatus, construction or equipment, for the damage to property or persons injured by any defect therein, nor shall the city or any agent thereof be deemed to assume any such liability by reason of the inspection authorized herein or by any type of certificate of inspection as may be issued by the City Building/Plumbing Inspector.

11.08.12 Uncovering plumbing work If any plumbing work or part thereof which is installed, or altered, or repaired, is covered before being inspected by the Building/Plumbing Inspector, it shall be uncovered for inspection after notice to uncover the work has been issued to the responsible person by the Building/Plumbing Inspector.

11.08.13 Exemptions Exemptions from the provisions of this Article are as follows:

- A. License fees shall be waived for city-owned installations; however, these installations must have inspection and meet other provisions of this ordinance.

- B. The assembly and erection of plumbing equipment by the manufacturer of such equipment. This does not include any plumbing work other than that involved in making connections within the equipment itself.
- C. No license is required for minor repairs to faucets, valves, pipes, appliances, and the removal of stoppage.

11.08.14 Penalties

- A. Any person, firm, or corporation who engages in or follows the business or occupation of, or advertises or holds himself or itself out as or acts temporarily or otherwise as a master plumber, without first having secured the required license or permit, or who otherwise violates any provisions of this article or the rules and regulations adopted pursuant hereto, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00). Each day during which such violation continues shall be a separate offense.
- B. Any master plumber who shall employ an apprentice of plumbing representing to be a journeyman, or who shall charge for an apprentice a journeyman's wage, shall be punished by a fine of not more than One Hundred Dollars (\$100.00). Each day of violation shall be a separate offense.

CHAPTER 11.12

ELECTRICAL CODE

Sections:

11.12.01	Definitions
11.12.02	Provisions
11.12.03	Adoption of Electrical Code
11.12.04	Equipment and installation
11.12.05	Inspector
11.12.06	Duties of Building/Electrical Inspector
11.12.07	Authority of Building/Electrical Inspector
11.12.08	Permits
11.12.09	Permit and inspection fees
11.12.10	Notification of Building Inspector
11.12.11	Electrical inspection

11.12.12	Connection to installation
11.12.13	Board of Review
11.12.14	Penalties
11.12.15	Liability for damages

11.12.01 Definitions For the purpose of this code certain terms and words are herewith defined as follows:

Words used in the present tense include the future; words in the singular number include the plural; words in the plural number include the singular; the word “shall” is mandatory and not directory; words not herewith specifically defined in the National Electrical Code are used in the sense required by context and as defined in a legally recognized standard or technical dictionary.

Electrical equipment is for the purpose of this code construed to mean any and all conductors, fittings, devices, fixtures, appliances, apparatus or machines.

Public building is for the purpose of this code, construed to mean all buildings other than private residences and outbuildings.

Reasonably safe to persons and property as applied in electrical installation and electrical equipment, means safe to use in the service for which the installation or equipment is intended without unnecessary hazard to life or property.

11.12.02 Provisions The provisions of this code shall apply to all installations or electrical equipment on or within public and private buildings and premises within the corporate limits of the city of Huntsville, Arkansas, with the exceptions as provided herein.

The provisions of this code shall not apply to facilities or installations used by electrical supply or communications agencies in the generation, transmission or distribution of electricity or for the operation of signals or the transmission of intelligence, and located within or on buildings or premises used exclusively by such an agency or on public thoroughfares or on rights of way.

The provisions of this code shall apply to all electrical equipment used for power supply to radio transmitting equipment.

11.12.03 Adoption of Electrical Code There is hereby adopted by reference by the city of Huntsville, Arkansas, for the purpose of establishing rules and regulations for the construction, alteration, removal and/or maintenance of all electrical equipment The National Electrical Code, Standard of the National Fire Protection Association as now or as same may be amended from time to time save and except such portions as are hereinafter deleted, modified and/or amended,

and the same 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, alteration, maintenance, and/or removal of all electrical equipment within the corporate limits of the city of Huntsville, Arkansas.

11.12.04 Equipment and installation In recognition of minimum standards character of the National Electrical Code certain additional rules of general wiring are hereby adopted incorporated as follows:

- A. All electrical equipment installed or used shall be reasonably safe to persons and property and in conformity with the provisions of this ordinance, the applicable statutes of the state of Arkansas, and any orders, rules or regulations issued by authority thereof. All installations must be approved by the City Inspector.
- B. Conformity of electrical equipment with applicable standards of Underwriter's Laboratories, Inc. shall be prima facie evidence that such equipment is reasonably safe to persons and property.
- C. The Building/Electrical Inspector may, authorize the installation of special equipment.

11.12.05 Building/Electrical Inspector There is hereby created the office of Electrical Inspector who shall be appointed by the Mayor, subject to confirmation by the City Council. The Electrical Inspector shall be of good moral character, shall be versed in the approved methods of electrical construction for the safety of persons and property, the statues of the state of Arkansas relating to electrical work and any orders, rules and regulations issued by authority thereof, and the National Electrical Code.

Compensation to be paid to the Building/Electrical Inspector and his assistants shall be determined by the Mayor and City Council.

11.12.06 Duties of Building/Electrical Inspector The Building/Electrical Inspector shall have the duty and is hereby authorized, empowered and directed to enforce the provisions of this ordinance. He shall upon application grant permits for the installation or alteration of electrical equipment and shall make inspections and re-inspections of the installation or alteration of electrical equipment made and other official work performed in accordance with the provisions of this ordinance.

It shall be unlawful for the City Building/Electrical Inspector to engage in the business of the sale, installation or maintenance of electrical equipment, either directly or indirectly, and he shall have no financial interest in any concern engaged in such business in the city of Huntsville, Arkansas, at any time while holding such office.

11.12.07 Authority of Building/Electrical Inspector The Building/Electrical Inspector is hereby granted the authority to enter all buildings inside the corporate limits of the city of Huntsville, Arkansas, in the performance of his duties, and in emergencies and within the limit of reason, the Building/Electrical Inspector may enter buildings for such purposes at other than the designated hours.

When the electrical equipment is found by the Building/Electrical Inspector to be defected or defectively installed, the person, firm, or corporation responsible for the electrical equipment shall be notified in writing and shall make any change or repairs required in the judgment of the Building/Electrical Inspector to place such equipment in safe and proper condition and if such work is not completed in five days or such longer period as may be specified by the Building/Electrical Inspector in said notice, the Building/Electrical Inspector shall have the authority to disconnect or order discontinuance of electrical service to said electrical equipment. In cases of emergency where electrical equipment may interfere with the work of the Fire Department, the Building/Electrical Inspector shall have the authority to immediately disconnect or cause the disconnection of any electrical equipment or electrical service thereto.

The Building/Electrical Inspector is authorized to inspect and re-inspect all wires and apparatus within the city, previous to, during, and after its installation, to ascertain and determine whether the same is properly done and free from danger and defects, and is hereby granted the power and authority to order removed any obstructions which may prevent a perfect, complete and thorough inspection of the current carrying conductors, and no electrical wiring in new construction shall be covered or concealed until inspection has been made.

11.12.08 Permits No electrical equipment shall be installed within or on any building structure or premises, publicly or privately owned, nor shall any alteration or addition be made in any such existing equipment without first securing a building permit from the City Clerk's office, except as provided in Section 11 of this code and except that no permit will be required to execute any of the classes of electrical work specified in the following paragraphs A to D, inclusive:

- A. Minor repair work, the replacement of lamps or the connection of portable electrical equipment to suitable permanently installed receptacles;
- B. The installation, alteration, or repair of electrical equipment for the operation of signals or the transmission of intelligence by wire.
- C. The installation, alteration, or repair of electrical equipment installed by or for an electrical supply agency in the generation, transmission, distribution, or metering of electricity.

- D. Any work involved in the manufacturing, testing, servicing, altering, or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring other than that required for testing purposes.

The application shall be accompanied by such plans and specifications as may be necessary to determine whether the installation as described will be in conformity with the requirements of this ordinance.

No deviation may be made from the installation described in the permit without written approval of the Building/Electrical Inspector.

11.12.09 Permit and inspection fee All persons must obtain a building permit.

11.12.10 Notification of Building Inspector The Building Inspector shall be notified not less than one (1) day before the work is to be inspected or tested and if said work is not satisfactory, the owner or contractor will be charged for additional inspections.

11.12.11 Electrical inspection Upon the completion of any installation of electric equipment, it shall be the duty of the person, firm, or corporation making the installation to notify the Building/Electrical Inspector of the completion of such work and it shall be the duty of the Inspector to inspect and ascertain the condition of such installation within forty-eight (48) hours, exclusive of Saturdays, Sundays, and holidays of the time such notice is given or as soon thereafter as practical.

When any electrical equipment is to be hidden from view by the permanent placement of parts of the building, the person, firm or corporation installing the equipment shall notify the Electrical Inspector and such equipment shall not be concealed until it has been inspected and approved by the Electrical Inspector or until forty-eight (48) hours, exclusive of Saturday, Sundays, and holidays, shall have elapsed from the time of such notification; provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm or corporation installing the electrical equipment shall give the Electrical Inspector due notice and inspections shall be made periodically during the progress of the work.

11.12.12 Connection to installation It shall be unlawful for any person, firm, or corporation to make connection from a supply of electricity or knowingly to supply electricity to any electrical equipment for the installation of which a permit is required or which has been disconnected or ordered to be disconnected by the Building/Electrical Inspector, until such connection has been authorized by the Building/ Electrical Inspector.

11.12.13 Board of Review There is hereby created a Board of Review which shall consist of the Building/Electrical Inspector, the City Attorney, and/or one of his assistants and three other members appointed by the Mayor by and with the consent of the City Council as follows: A representative of an Underwriter’s Inspection Bureau or the local Fire Department Chief or Fire Inspector, two representatives of persons or firms or corporations engaged in the business of electrical contracting and a representative of a person, firm or corporation engaged in the practice of architecture or building design. Each member of the Board shall serve in this capacity without pay and until he has been removed from office by the Mayor and his successor has been appointed.

Any person, firm, or corporation may register an appeal with the Board of Review for a review of any decision of the Building/Electrical Inspector, provided that such appeal is made in writing within five (5) days. The Board of Review shall make a decision in accordance with its findings. The Board shall have power to affirm, reverse or modify any decision of the Electrical Inspector. Three members of the Board present at any meeting shall constitute a quorum for the transaction of business but any action taken at any meeting shall require the affirmative vote of at least three members. The chairman of any meeting of the Board shall vote.

11.12.14 Penalties Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$250.00 or more than \$1,000.00 for each offense, together with costs of prosecution, and in default of payment thereof by imprisonment for not less than one day or more than ninety (90) days.

11.12.15 Liability for damages This code shall not be construed to relieve or lessen the responsibility or liability of any part owning, operating, controlling, or installing any electrical equipment for damages to persons or property caused by any defect thereof, nor shall the city of Huntsville, Arkansas, be held as assuming any such liability by reason of the inspection or re-inspection authorized herein provided or the certificate of approval or disapproval of any equipment authorized herein.

CHAPTER 11.16

FIRE PREVENTION CODE

Sections:

- 11.16.01 Adoption of Fire Prevention Code
- 11.16.02 Enforcement
- 11.16.03 Definition

- 11.16.04 Modifications
- 11.16.05 Appeals
- 11.16.06 Penalties

11.16.01 Adoption of Fire Prevention Code For purposes of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the “Arkansas Fire Prevention Code,” a copy of which is on file in the office of the Clerk of the city of Huntsville, Arkansas, and the same is hereby adopted and incorporated herein as fully as if set out at length herein. (Ord. No. 2013-2, Sec. 3.)

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

11.16.03 Definition Wherever the word “Municipality” is used in the code hereby adopted, it shall be held to mean the city of Huntsville, Arkansas.

11.16.04 Modifications The Chief of the 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 or 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 Dollars (\$20.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than five

(5) 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 Code
- 11.20.02 Pending suits
- 11.20.03 Definitions
- 11.20.04 Fine

11.20.01 Adoption of Code The Housing Code with rule changes and Appendices as adopted by the State of Arkansas thereof and the whole thereof, save and except such portions of may thereafter be amended, and the same are hereby adopted and incorporated as fully as if set forth at length herein, and from the date on which this code shall take effect, the provisions therein shall be controlling in the use, maintenance and occupancy of all dwellings, dwelling units and/or structures within the area of jurisdiction of the city of Huntsville, Arkansas.

11.20.02 Pending suits Nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

11.20.03 Definitions

Family A family is when all persons are related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship. In all residential districts, a family is no more than three (3) persons, unless all are related and occupy a dwelling as a single family dwelling unit.

Single family dwelling A dwelling unit, being a house or other structure, in which a single family unit, reside under one roof, with common access to and common use of all living and eating areas, consisting of a single person, married couple, or head of household as head of the family unit.

11.20.04 Fines Occupancies which do not conform to these definitions shall not be permitted and shall subject the owner thereof to a fine of up to One Hundred Dollars (\$100.00). Each day a single family dwelling unit is used in non-conformity to the definitions herein shall be considered a separate violation.

CHAPTER 11.24

CONDEMNED STRUCTURES

Sections:

- 11.24.01 Razing of dwelling
- 11.24.02 Certified copy of order
- 11.24.03 Cost to owner

11.24.01 Razing of dwelling Whenever any house, building or accumulated materials situated in the city of Huntsville, Arkansas, shall become, in the opinion of the City Council, dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public welfare, the City Council may, by resolution, order the removal or razing of any such house, building, or accumulation of materials by the owner within thirty (30) days after serving notice upon the owner as provided in 11.24.02 hereof.

11.24.02 Certified copy of order When the City Council shall have ordered the removal or razing of any house, building or accumulation of materials as provided in 11.24.01 hereof, the Chief of Police or City Marshall of said city shall serve, or cause to be served, a certified copy of such order or resolution upon the owner of such house, building or accumulated materials. If such owner is not a resident of the city of Huntsville, Arkansas, a certified copy of such order or resolution shall be mailed by registered or certified United States mail by said Chief of Police or City Marshall to the owner of any such house, building or accumulated materials at his or its last known post office address. Within thirty (30) days after the service or receipt of such order or resolution, if the said owner of such house, building or accumulated materials shall fail, refuse, or neglect to remove or raze such house, building or accumulated materials, then the Chief of Police or City Marshall of the city of Huntsville, Arkansas is hereby authorized, empowered and directed to, at once, remove or raze any such house, building or accumulated materials in accordance with the provisions of the order or resolution adopted by the City Council.

11.24.03 Cost to owner If after notice has been given the owner of any such house, building or accumulated materials prescribed in 11.24.02 hereof, and said owner has failed or refused to remove or raze any such house, building or accumulated materials, the Chief of Police shall, after the expiration of the thirty (30) days time allowed for said notice as provided in 11.24.02 hereof, proceed, at once, to remove or raze same and shall prepare an itemized statement of the cost of removing or razing any such house, building or accumulated materials, and shall notify said owner by delivering to him or it a copy of said statement in the manner provided for service of notice in 11.24.02 hereof. In after ten (10) days from receipt of said notice by the owner of such house, building or accumulated materials, said owner has failed to pay for the cost of removing or razing of said house, building or accumulated materials, the Chief of Police shall sell any material obtained from the removal or razing of said house, building or accumulated materials, and pay the difference, if any, to the owner of said house, building or accumulated materials. However, if no material is obtained, that can be sold, to pay such costs, or such material is of an insufficient amount to pay such costs, then the owner of said house, building or accumulated materials shall be liable to the said city of Huntsville, Arkansas, in an amount sufficient to pay such costs.

CHAPTER 11.28

BUILDING CODE

Sections:

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|----------|---------------------------|
| 11.28.01 | Adoption of Building Code |
| 11.28.02 | Definitions |
| 11.28.03 | Fire District |
| 11.28.04 | Fines |

11.28.01 Adoption of Building Code There is hereby adopted by the city of Huntsville, 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, Arkansas Fire Prevention Code, with rule changes and Appendices as adopted by the state of Arkansas, save and except such portions as are hereinafter deleted, modified or amended, 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 of Huntsville, Arkansas.

11.28.02 Definitions

Municipality shall be held to mean the city of Huntsville, Arkansas.

Corporation Counsel shall be held to mean the attorney for the city of Huntsville, Arkansas.

11.28.03 Fire district The fire district of the city of Huntsville, Arkansas, is hereby established as follows:

Beginning at the southeast corner of Section thirty-four (34) in Township seventeen (17) north of Range Twenty-Six (26) west within the corporate limits of the city of Huntsville, Arkansas; thence north along the section line to the northeast corner of Lot #60 of the Original Plat of Huntsville, thence west along the south side of LaBarge Street, as indicated in the Original Plat of the city, to the west side of College Street (Short Street), thence south to the northeast corner of Lot #51 of the Original Plat of the city, thence west along the south line of the alley to the east side of Hughes Street thence west along the south line of Park Street to the middle of the intersection of Park Street and Arkansas State Highway #68 west, thence south to the southwest corner of the intersection of Arkansas State Highway #74 and Lee Street thence east along the south side of Lee Street and a line to a point on the east line of the Frac. east half of the northeast quarter of Section 3 in Township 16 north of Range Twenty-Six west, thence north along the section line to the northeast corner of Section 3 in Township 16 north of Range Twenty-Six west, thence west along the Township line to the place of beginning.

11.28.04 Fines Any person or corporation who shall violate any of the provisions of these regulations or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement of plan submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00). Each day such violation exists or is permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of these regulations shall be placed, or shall exist, and any architect, builder, contractor, agent, person, or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction thereof, shall be fined as hereinbefore provided.

CHAPTER 11.32**GAS CODE****Sections:**

11.32.01	Gas ordinance
11.32.02	Building/Gas Plumbing Inspector
11.32.03	Duties
11.32.04	Inspections and tests
11.32.05	Powers of Building/Plumbing Inspector
11.32.06	Stoves, water heaters, appliances, connections, etc.
11.32.07	Gas appliance vents
11.32.08	Gas service location
11.32.09	Rules for gas piping
11.32.10	Gas meters
11.32.11	Penalties

11.32.01 Gas ordinance That this code shall be known as the Gas Plumbing Code Ordinance of the city of Huntsville, Arkansas.

11.32.02 Building/Gas Plumbing Inspector That the Mayor of the city of Huntsville, Arkansas is hereby authorized and empowered to employ a Building/Gas Plumbing Inspector whose duties shall be as hereinafter set out.

11.32.03 Duties That the said Building/Gas Plumbing Inspector and his assistants are hereby authorized, empowered and directed to supervise all gas piping, installation of appliances or fixtures, and to see that all such piping complies with the conditions of this ordinance and is in accordance with the "Standards of the National Board of Fire Underwriters."

11.32.04 Inspections and tests It shall be the duty of the Gas Fitter to notify the Gas Plumbing Inspector not less than eight working hours before the (week) work is to be inspected or tested, and it shall be the duty of the Gas Fitter to make sure that the works stand the test prescribing the above mentioned notice.

11.32.05 Powers of Building/Gas Plumbing Inspector The Building/Gas Plumbing Inspector and the Fire Marshall shall each have the power to condemn any work hereinafter or heretofore installed when, in their opinion, such work is dangerous to the safety of the community in which any of said work may exist. They shall shut off or cause to be shut off all gas services in residence or business houses where, in their judgment, the housepiping or appliances are unsafe. The gas will remain shut off until such time as the unsafe conditions are corrected by the property owner or the fitter installing same, and a Certificate of Inspection issued by the Gas Plumbing Inspector and a copy thereof furnished to the Gas Company after which the Gas Company may restore the services.

11.32.06 Stove, water heaters, appliances, connections, etc. All stoves, water heaters, or gas appliances hereinafter installed shall be approved by the American Gas Association and their stamp of approval shall be plainly marked on such appliances all connections to room or space heaters should be of iron, aluminum, brass, or copper pipe and connections. No fiber or rubber hose connections may be used, except those bearing the stamp of approval of the National Board of Fire Underwriters or the American Gas Association. No gas appliance of any description used for heating or cooking purposes shall be connected without an additional cut off at the top of the floor line or baseboard and it shall be unlawful for any person to so connect any heating stove, kitchen range, hot water heater, or steam boiler without the above regulation. No valves or unions shall be placed between ceiling and floor or located in such a position that the stuffing box or valve cannot be replaced. Only ground joint type unions shall be used, and no union may be concealed. Water heaters shall not hereafter be installed in bathrooms or sleeping rooms or closets. When water heaters are installed in small rooms with a volume of less than 300 cubic feet, such rooms should have a tight fitting door, and must have some provision made for the admittance of outside air, preferable through an opening in the floor of the room, the area of such opening to equal ten (10) square inches for every B.T.U. of gas consumed per hour.

11.32.07 Gas appliance vents No person, firm or corporation shall install or connect any appliance for the purpose by combustion of artificial or natural gas or any inflammable liquid as fuel, unless such appliance is provided with a metallic downdraft diverter and all such water heaters shall be attached to a vent connection not less than the size of the heater opening and discharging directly into a chimney that would comply with the standards of the National Board of Fire Underwriters. Flue connections shall be required of all automatically controlled appliances with input ratings in excess of 5,000 BTU per hour. Flue connections shall be required of all automatically controlled appliances with input ratings of less than 5,000 B.T.U. per hour, unless equipped with an automatic device to prevent the escape of unburned gas at the main burner or burners. All floor furnaces, central furnaces, unit heaters, and boilers shall be vented. All vents shall comply with the standards as mentioned heretofore.

11.32.08 Gas service location Any gas fitter, before installing a house service line or meter loop for gas shall consult the Gas Company for a proper location of the said meter. All house service lines shall be run in as direct a line as possible from the building to the curb line and no gas pipe shall be run within 12 inches to a sewer trench or water pipe. The proper spread must be made at the meter location and the correct distance left by the plumber for all meters to be set. Information as to the distance required can be obtained from the Gas Company.

11.32.09 Rules for gas piping Pipes in the construction of gas work shall be new best quality wrought iron or black steel with malleable iron fittings. Sizes and lengths shall comply with the aforementioned "Standards of the National Board of Fire Underwriters for the Installation, Maintenance and Use of Piping and Fittings for City Gas," and all work will be done in accordance with these regulations. For all large or industrial buildings or jobs not adequately covered by the above rules and regulations of equipment should be taken up with the officials of the Gas Company.

All pipes under house must be securely strapped to the bottom joists, or other securely strapped places, with iron straps or pipe hooks. No pipe or fitting shall be covered or concealed from view until inspected and approved by the Gas Inspector. No pipe shall be laid as to support any weight except fixtures or meters, or be subject to any strain. All outlets not connected to fixtures shall be capped. Ordinary dwellings must be piped with the following pipe sizes and the greatest length of pipe of various sizes will be found in the table below:

No. of $\frac{1}{2}$ " Openings	$\frac{1}{2}$ " Pipe	$\frac{3}{4}$ " Pipe	1" Pipe	1 $\frac{1}{4}$ " Pipe	1 $\frac{1}{2}$ " Pipe	2" Pipe	2 $\frac{1}{2}$ " Pipe	3" Pipe
1	27	50	70	100	150	200	300	400
2		50	70	100	150	200	300	400
3		24	70	100	150	200	300	400
4		13	50	100	150	200	300	400
5			35	100	150	200	300	400
6			21	60	150	200	300	400
7			16	45	120	200	300	400
8				27	65	200	300	400
9				17	42	175	300	400
10				12	30	120	300	400
11(12)					22	90	270	400
15					17	70	210	400
18					13	55	165	400
20						45	135	330
23						27	80	200
25						20	60	150

No less than $\frac{1}{4}$ inch pipe shall be run from the meter to the first opening in any case, and no less than 1 inch pipe shall be run from the customer's property line to the house. A $\frac{3}{4}$ inch opening shall be left for gas ranges, and for floor furnaces, and circulators with input capacity of 50,000 BTU per hour or over. The total area of all gas outlets shall not be more than the area of the pipe from the meter to the first opening.

11.32.10 Gas meters The gas meter is the property of the gas company and must not be disconnected for any cause by anyone other than those specifically authorized to do so, if change is desired, notify the Gas Company. The Gas Company may not install a meter or turn on the gas in any building until a Certificate of Inspection has been issued by the City Gas Inspector. After a meter has been set and additional work is done, the plumber or gas fitter shall report such charge or extension to the City Gas Inspector.

11.32.11 Penalties Any person, firm or corporation who engages in the business of plumbing without first having secured the required license, as provided in this ordinance, shall be deemed guilty of misdemeanor, and upon conviction, shall be punished by a fine of not less than Five Dollars (\$5.00) and not more than One Hundred Dollars.

Any person, firm or corporation who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not less than Five Dollars (\$5.00) and not more than One Hundred Dollars (\$100.00).

The Building/Gas Plumbing Inspector shall have the power to revoke the permit of any person, firm, or corporation who violates any of the provisions of this code, provided, however, that in the event the said person, firm or corporation feels that an injustice has been done by the revocation of his license, he may appeal to the grievance board who will have the authority to reinstate his license after a hearing has been had.

CHAPTER 11.36

ENERGY CODE

Sections:

11.36.01 Adopted

11.36.01 Adopted There is hereby adopted by the City Council of Huntsville, Arkansas, for the purpose of establishing rules and regulations for energy efficient standards for new building construction, this code known as the 2011 Arkansas Energy Code, being particularly the 2011 Arkansas Energy Code edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, or which not less than three (3) copies of this ordinance, as well as three (3) copies of the 2011 Arkansas Energy Code, have been and now are filed in the office of the Clerk or Recorder of the city of Huntsville, 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 Huntsville, Arkansas. (Ord. No. 2012-7, Sec. 1.)