

TITLE 11

BUILDINGS AND CONSTRUCTION

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CHAPTER 11.04

FIRE PREVENTION CODE

Sections:

- 11.04.01 Adoption by reference
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11.04.01 Adoption by reference

The Arkansas Fire Prevention Code, 2002 Edition, as amended and revised, Volume 1 Fire, Volume 2 Building, and Volume 3 Residential; is hereby adopted by reference thereto and incorporated herein, verbatim, word for word, except as specifically modified by this ordinance. (Ord. No. 2003-10, Sec. 1.)

11.04.02 Deletions, insertions and amendments

- A. Delete the Board of Appeals and Adjustments as provided in Section 108 of Volume 1 and use the Board provided in Section 112 of Volume 2.

- B. The fee for an appeal shall be Fifty Dollars (\$50.00) and shall be paid to the City Clerk for deposit in the general fund. (Ord. No. 2003-10, Sec. 2)

CHAPTER 11.08

BUILDING PERMITS

Chapters:

- 11.08.01 Required
- 11.08.02 Permit fees for commercial buildings
- 11.08.03 Permit fees for single family and duplexes
- 11.08.04 Conversion of residential structures
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- 11.08.06 Rapid access key boxes
- 11.08.07 Violation and penalties
- 11.08.08 Residential Building Contractor’s License
- 11.08.09 Property owner
- 11.08.10 Requirements
- 11.08.11 Violations

11.08.01 Required A building permit shall be obtained from the city of Mountain Home, Arkansas, prior to beginning construction, alteration or repairs other than ordinary repairs. Building permit fees for multi-family, (except duplexes) and commercial buildings shall be seventy-five per cent (75%) of the amount provided for in the schedule below.

11.08.02 Permit fees for commercial buildings

Total Valuation	Fee
\$1,000 and less	No fee, unless inspection required, in which case a \$20.00 fee for each inspection shall be charged.
\$1,000 to \$50,000.00	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,000.00 to \$100,000.00	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00

\$100,000.00 to \$500,000.00	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction, thereof, to and including \$500,000.00
\$500,000.00 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof. (Ord. No. 03-10, Sec. 3.)

11.08.03 Permit fees for single family and duplexes Permit fees for single family and duplexes are as follows:

1. Heated area - 10 cents per square foot.
2. Add on heated area - 10 cents per square foot.
3. Add on unheated area - 5 cents per square foot.
4. Detached buildings - 5 cents per square foot.
5. There shall be a minimum fee of Ten Dollars (\$10.00) for each such permit. (Ord. No. 03-10, Sec. 3.)

11.08.04 Conversion of residential structures. Existing residential structures of Type VI construction may be converted for non-hazardous commercial or multiple dwelling uses, provided the following rules set out hereinafter are adhered to completely and without exception.

- A. Type VI structures with a setback of less than ten (10) feet from exterior walls or to property lines shall be protected and have non-combustible exterior on walls.
- B. Any alterations to these structures shall be in compliance with Volume 1, Volume 2 and Volume 3 of the Fire Code.
- C. Existing wiring may be used provided it is checked by a licensed electrician and certified to the Electrical Inspector to be safe from overloads and defects; alterations, repairs and additional wiring must meet the requirements of the latest edition of the National Electrical Code and the City Electrical Ordinance. (Ord. No. 03-10, Sec. 4)

11.08.05 Minimum foundation requirements.

- A. Minimum depth from exterior finished grade to bottom of footing must be eighteen (18) inches.

- B. Minimum width of footing to be twenty-four (24) inches, except for footings on a one (1) story frame dwelling with wood or metal siding may be eighteen (18) inches.
- C. Minimum thickness of footing to be twelve (12) inches, except for a one (1) story frame dwelling with wood or metal siding may be eight (8) inches.
- D. Minimum of two (2) number four (4) longitudinal reinforcing rods placed horizontally, the full length of the footing. Reinforcing rods shall be tied in place with supports every six (6) feet, and each splice shall be lapped a minimum of nine (9) inches and tied.
- E. The footings shall be placed on firm undisturbed soil. Where rock is encountered, the rock shall be removed to a depth of six (6) inches below the bottom of the footing and the rock excavation backfilled with sand. The footing trench shall be free of rock, loose dirt and debris and be inspected prior to the placement of the footing. (Ord. No. 03-10, Sec. 5)

11.08.06 Rapid access key boxes The Fire Official shall require a key box to be installed on the front of the building near the main entry door between four (4) and six (6) feet above final grade. Where access is necessary to verify the existence of a fire or other emergency in these buildings:

- A. Commercial or industrial structures protected by an automatic alarm system or automatic suppression system that is monitored by an alarm company or has an external audible alarm, or such structures that are secured in a manner that restricts access during an emergency;
- B. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;
- C. Gated communities.

All key lock boxes shall contain the following:

- A. Keys to locked points of egress, whether in interior or exterior;
- B. Keys to the locked mechanical rooms;
- C. Keys to the locked elevator rooms;
- D. Keys to the elevator controls;
- E. Keys to any fence or secured areas;
- F. Keys to any other areas that may be required by the Fire Official;
- G. A card containing the emergency contact people and phone numbers;

- H. A scaled floor plan of the building;
- I. Any other information that may be required by the Fire Official;

Keys within the lock box shall be labeled for easy identification or indexed to the floor plan of the building and shall be kept current. The Fire Official may require a lock box tamper switch to be connected to the building's fire alarm system.

All newly constructed structures subject to this section shall have the keylock box installed and operational prior to the issuance of an occupancy permit.

All structures in existence on the effective date of this section and subject to this section shall have one year from the effective date of this section to have a key lock box installed and operational.

The Fire Official shall designate the type of key lock box system to be implemented within the city and shall have the authority to require all structures to use the designated system. (Ord. No. 03-10, Sec. 6.)

11.08.07 Violations and penalties Any person, firm, corporation or agent who violates any provision of this ordinance shall be guilty of a misdemeanor and shall, upon conviction, pay a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each violation. (Ord. No. 03-10, Sec. 7.)

11.08.08 Residential Building Contractor's License Applications to the Building Inspector for the issuance under Ord. No. 99-002 of a permit for the construction or remodeling of a dwelling, consisting of one (1) but not more than four (4) units for residential occupancy, when the cost of the project is Twenty Thousand Dollars (\$20,000) or more, shall include a copy of such applicant's Residential Building contractor's License issued by the Residential building Contractor's Committee of Arkansas Pursuant to Act 950 of 1999 (A.C.A. 17-25-501 et seq.), as the same may be amended from time to time, and a statement by such applicant that such license is in full force and effect. (Ord. No. 01-24, Sec. 1.)

11.08.09 Property owner A property owner who acts as a residential building contractor for the purpose of construction or remodeling of his own residence is not required to be licensed under this ordinance unless that person constructs or remodels more than one (1) residence per calendar year. (Ord. No. 01-24, Sec. 2.)

11.08.10 Requirements The requirements of this ordinance shall be deemed to be independent of the requirement of any other ordinance for the issuance of permits for such construction or remodeling. (Ord. No. 01-24, Sec. 3.)

11.08.11 Violations Violations of this ordinance shall be punishable as a misdemeanor offense and shall be punishable by a fine of up to \$500.00. Each day that said violation continues shall be a separate offense and each day subsequent to the first of the violation shall be punishable by a fine of up to \$500.00 per day. (Ord. No. 01-24, Sec. 4.)

CHAPTER 11.12

PORTABLE STRUCTURES AND TRAILERS

Sections:

11.12.01	Permit required
11.12.02	Validity
11.12.03	Requirements
11.12.04	Itinerant license
11.12.05	Penalty

11.12.01 Permit required. It shall be unlawful for any person, firm or corporation to erect, construct or maintain a trailer or otherwise temporary structures for concession or business operations within the city of Mountain Home without first having obtained a building permit from the Building Inspector Department. A fee of Five Dollars (\$5.00) shall be charged by the Building Inspector Department at the time of application for a permit and such sum shall be paid into the general fund of the city. (Ord. No. 88-008, Sec. 1)

11.12.02 Validity. The permit issued by the Building Inspector Department shall be valid for a maximum period of thirty (30) days. Any person, firm or corporation desiring to erect, construct or maintain a trailer or otherwise temporary structure for concession or business operations for a period of greater than thirty (30) days, must first obtain express approval from the City Council of Mountain Home. (Ord. No. 88-008, Sec. 2)

11.12.03 Requirements.

Prior to the issuance of a permit by the Building Inspector Department, the trailer or temporary structure must meet the following requirements:

- A. The trailer or temporary structure must meet the setback requirements of the city of Mountain Home Zoning Ordinance (Title 14);
- B. The trailer or temporary structure must have proper distance between structures as set out in city ordinances and building codes;

- C. The trailer or temporary structure shall not be placed in a fire lane;
- D. Any electrical cords used in or about the trailer or temporary structure shall meet the requirements of Chapter 43 of the Fire Code of the state of Arkansas;
- E. The trailer or temporary structure should have fire extinguishers when and where required by law;
- F. The trailer or temporary structure shall not be placed within thirty (30) feet of any exit, entrance, city street or highway. (Ord. No. 2000-8, Sec. 1.)
- G. Any electrical wiring which is required by the trailer or temporary structure shall be installed by a licensed electrician;
- H. The trailer or temporary structure must have a letter of approval from the Baxter County Sanitation Department if required by the Department of Health regulations. (Ord. No. 88-008, Sec. 3)

11.12.04 Itinerant license. In addition to the requirements set out above, any person, firm or corporation operating a trailer, temporary structure, truck, automobile, or stand for concession or business operations must obtain an itinerant's license from the City Clerk prior to opening for business.

Produce farmers selling foodstuff at Hickory Park on Wednesday and Saturday mornings, known as "The Farmers Market," are exempt from this chapter and are regulated under Chapter 4.56 of the city code. (Ord. No. 2000-8, Secs. 2-3)

11.12.05 Penalty. Any person, firm or corporation which fails to comply with the terms of the chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and each day such violation of this chapter shall exist, shall constitute a separate offense. (Ord. No. 88-008, Sec. 5)

CHAPTER 11.16

ENERGY EFFICIENCY STANDARDS

Sections:

- 11.16.01 Title of chapter
- 11.16.02 Adopted by reference

11.16.03	Effective date
11.16.04	Building Inspector requirement
11.16.05	Violations and penalties
11.16.06	Complementary clause
11.16.07	Construction

11.16.01 Title of chapter. This chapter shall be known as the "Energy Efficiency Standards - New Building Construction - 1979." (Ord. No. 666, Sec. 1)

11.16.02 Adopted by reference. The Rules and Regulations for Energy Efficiency Standards for New Building Construction, 1979, Arkansas, First Edition, published by the Arkansas Department of Energy, Little Rock, Arkansas, is hereby adopted by reference thereto and incorporated herein, verbatim, word for word, as if set out in full and is hereafter known as the Rules and Regulations for Energy Efficiency Standards for New Building Construction. (Ord. No. 666, Sec. 2)

11.16.03 Effective date. The rules and regulations and guidelines and minimum standards as set forth in the code hereby adopted shall be effective on December 1, 1981, and thereafter. (Ord. No. 666, Sec. 3)

11.16.04 Building Inspector requirement. The City Building Inspector shall require new building construction to meet the minimum standards for energy efficiency as set out in the code hereby adopted from and after the effective date of this chapter and code hereby adopted. (Ord. No. 666, Sec. 4)

11.16.05 Violations and penalties. Any person, firm or corporation who fails to comply with the rules and regulations and minimum standards as required by the code hereby adopted, shall, upon conviction, be deemed guilty of a misdemeanor and pay a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00) for each violation, and each day a violation shall exist shall be deemed a separate offense. (Ord. No. 666, Sec. 5)

11.16.06 Complementary 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, Dwelling Code, Electrical Code, and Plumbing Code shall be complementary one to the other. In the event a provision of one such code conflicts with a provision of another, the more stringent of the codes shall prevail. (Ord. No. 666, Sec. 8)

11.16.07 Construction.

- A. The words "herein" and "hereinafter" and "hereof" and word of similar import, without reference to any particular section, subdivision, or paragraph, refer to this chapter as a whole, rather than any particular section, subdivision or paragraph.

- B. The topical headings of sections, subdivisions or paragraphs herein are for convenience only and shall not affect the construction hereof.
- C. Unless the context clearly represents otherwise, the singular shall include the plural and vice versa, and the masculine shall include the feminine and vice versa. (Ord. No. 666, Sec. 9)

CHAPTER 11.20

CONDEMNED STRUCTURES

Sections:

11.20.01	Unlawful
11.20.02	Condemnation required
11.20.03	Description of property, reason for condemnation
11.20.04	Notice
11.20.05	Removal
11.20.06	Duties of Building Inspector
11.20.07	Proceeds of sale
11.20.08	Enforcement of lien
11.20.09	Penalty
11.20.10	Judicial condemnation, penalty, previous sections applicable

11.20.01 Unlawful. It is hereby declared to be unlawful for any person or persons, partnership, corporation or association, to own, keep or maintain any house, building and/or structure within the corporate limits of the city of Mountain Home, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by resolution of the City Council.

11.20.02 Condemnation required. That any such house, building and/or structure which is found and declared to be a nuisance by resolution of the City Council of the city of Mountain Home, Arkansas, will be condemned to insure the removal thereof as herein provided.

ACA 14-56-203 authorizes the City of Mountain Home, AR to remove or raze any buildings that have become dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public welfare; and the buildings known as Creekside Apartments should be removed and/or razed due to the reasons set forth in ACA 14-56-203. (Ord. No. 2015-1)

11.20.03 Description of property, reason for condemnation That the resolution of the City Council of the city of Mountain Home, Arkansas, condemning any house, building and/or structure which constitutes a nuisance will include in said resolution an adequate description of the house, building and/or structure, the name or names, if known, of the owner or owners thereof and shall set forth the reason or reasons said house, building and/or structure is or has been condemned as a nuisance.

Ord. No. 2015-1 The City of Mountain Home, AR has inspected the property known as Creekside Apartments and has consistently found the following problems, to wit:

- A) The apartment complex contains numerous broken windows and busted out doors which allow access to the abandoned premises;
- B) The apartment complex contains numerous railings and walkways which are unsecured, unstable and dangerous to anyone accessing said area;
- C) The apartment complex contains a swimming pool which can be accessed by the public and which continues to collect water. The pool is hazardous to the public and is a breeding ground for mosquitoes and other insects; and
- D) The apartment complex is detrimental to the public welfare.

Ord. No. 2017-14 The City of Mountain Home, AR has inspected the property located at 213 Russell Lane, Mountain Home, AR and has consistently found the following problems, to wit:

- a) The building is in a state of disrepair and is not fit in which to live. Specifically, and without limitation, there is a large hole in the roof which allows outside elements in the home;
- b) The yard is overgrown, including overgrown trees, shrubs and grass.
- c) Trash is dumped all over the property; and
- d) The property is a breeding ground for insects, rodents and other animals.

That the City has made numerous efforts to have the problems outlined herein eliminated and has contacted the owner many times with no success. (Ord. No. 2017-14, Sec. 2)

That the City has been unable to remedy the problems with the property. It is the opinion of the City Council that the building described herein has become dilapidated, unsightly, unsafe, unsanitary and detrimental to the public welfare. (Ord. No. 2017-14, Sec. 3)

The City Attorney is directed to file the appropriate legal action in the Circuit Court of Baxter County, AR to obtain an Order authorizing and directing the removal/razing of the building described herein. (Ord. No. 2017-14, Sec. 4)

Ord. No. 2018-14 The City of Mountain Home, AR has inspected the property located at 1710 Lilac Lane, Mountain Home, AR and has consistently found the following problems, to wit:

- a) The yard structures/improvements are in a condition which are unsafe and likely to entice, lure or otherwise attract small children and others to such structures/improvements which could result in harm to such individuals;
- b) The property is a breeding ground for insects, rodents and other animals; and
- c) The unfinished landscaping on the property is unsafe, unsanitary and detrimental to the health and welfare of the citizens of Mountain Home.
(Ord. No. 2018-14, Sec. 1)

That the City has been unable to remedy the problems with the property. It is the opinion of the City Council that the yard structures/improvements described herein has become unsightly, unsafe and detrimental to the public welfare. (Ord. No. 2018-14, Sec. 2)

The City Attorney is directed to file the appropriate legal action in the Circuit Court of Baxter County, AR to obtain an Order authorizing and directing the removal/razing of the structures/improvements described herein. (Ord. No. 2018-14, Sec. 3)

Ord. No. 2019-21 The City of Mountain Home, AR has inspected the property located at 411 South Main Street and consistently found the following problems to wit:

- a) The building is in a state of disrepair and is not fit in which to live or have a business in. Specifically, and without limitation, there is rotting window sills, rafters, ceiling joists, building fascia, siding exposing the interior walls which can allow rat's mice or any other critters to enter into the walls of the structure and broken windows.
- b) That the City has made efforts to have the problems outlined herein eliminated and has contacted the owner with no success.
- c) That the City has been unable to remedy the problem with the property. It is the opinion of the City Council that the building described herein has become dilapidated, unsightly, unsafe, unsanitary and detrimental to the public welfare.

- d) The City Attorney is directed to file the appropriate legal action in the Circuit Court of Baxter County, AR to obtain an Order authorizing and directing the removal/razing of the building described herein.

Ord. No. 2019-32 The City of Mountain Home, AR has inspected the property located at 205 Hillcrest Road and has consistently found the following problems to wit:

1. The building is in a state of disrepair and is not fit in which to live in. Specifically; and without limitation, Rotten & Missing Siding, Rotten fascia boards. Missing windows, Rotten walls, Overgrown brush growing up the walls of the house making the house unsafe and unfit for human habitation.
2. That the City has made efforts to have the problem outlined herein eliminated and has contacted the owner with no success.
3. That the City has been unable to remedy the problem with the property. It is the opinion of the City Council that the building described herein has become dilapidated, unsightly, unsafe, unsanitary and detrimental to the public welfare.
4. The City Attorney is directed to file the appropriate legal action in the Circuit Court of Baxter County, AR to obtain an Order authorizing and directing the removal/razing of the building described herein.

Ord. No. 2020-26

The City of Mountain Home, AR has inspected the property located 502 West Wade Ave. and has consistently found the following problems to wit:

1. The building is in a state of disrepair and is not fit in which to live in or open a business in.
2. That the City has made efforts to have the problem outlined herein eliminated and has contacted the owner with no success.
3. That the City has been unable to remedy the problem with the property. It is the opinion of the City Council that the building described herein has become dilapidated, unsightly, unsafe, unsanitary and detrimental to the public welfare.
4. The City Attorney is directed to file the appropriate legal action in the Circuit Court of Baxter County, AR to obtain an Order authorizing and directing the removal/razing of the building described herein.

11.20.04 Notice. After a house, building and/or structure has been found and declared to be a nuisance and condemned by resolution as herein provided, a true or certified copy of said resolution will be mailed to the owner or owners thereof, if the whereabouts of said owner or owners be known or their last known address be known, and a copy thereof shall be posted in a conspicuous place on said house, building and/or structure. Provided, that if the owner or owners of said house, building and/or structure be unknown, the posting of the copy of said resolution as hereinabove provided will suffice as notice.

1. That the City has made numerous efforts to have the problems outlined herein eliminated. Said efforts include the following, to wit:
 - A) The City intervened in a foreclosure proceeding against the apartment complex and obtained an Order which required the owner of the property to maintain and secure the property, including cutting the grass, removing any debris, securing any vacant units and securing the iron fence on the property; and
 - B) The City has communicated numerous times with the owner of the property to have the problems remedied.
 - C) That the City has been unable to remedy the problems with the apartment complex. It is the opinion of the City Council that the buildings known as Creekside Apartments have become dilapidated, unsightly, unsafe, unsanitary and detrimental to the public welfare.
 - D) The City Attorney is directed to file the appropriate legal action in the Circuit Court of Baxter County, AR to obtain an Order authorizing and directing the removal/razing of the buildings known as Creekside Apartments.

(Ord. No. 2015-1)

11.20.05 Removal. If the house, building and/or structure constituting a nuisance has not been torn down and removed or said nuisance otherwise abated within thirty (30) days after posting the true copy of the resolution at a conspicuous place on said house, building and/or structure constituting the nuisance, it will be torn down and/or removed by the Building Inspector or his duly designated representative.

11.20.06 Duties of Building Inspector. The Building Inspector of the city of Mountain Home, Arkansas, or any other person or persons designated by him to tear down and remove any such house, building and/or structure constituting a nuisance will insure the removal thereof and dispose of the same in such a manner as deemed appropriate in the circumstances and to that and

may, if the same have a substantial value, sell said house, building and/or structure, or any saleable material thereof, by public sale to the highest bidder for cash, ten (10) days' notice thereof being first given by one publication in some newspaper having a general circulation in the city, to insure its removal and the abatement of the nuisance.

11.20.07 Proceeds of sale. All the proceeds of the sale of any such house, building and/or structure, or the proceeds of the sale of saleable materials therefrom and all fines collected from the provisions of this chapter shall be paid by the person or persons collecting the same to the City Clerk. If any such house, building and/or structure, or the saleable materials therefrom be 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 of Mountain Home, Arkansas, plus any fine or fines imposed, the balance thereof will be returned by the City Clerk to the former owner or owners of such house, building and/or structure constituting the nuisance.

11.20.08 Enforcement of lien. If the city has any net costs in removal of any house, building and/or structure, the city shall have a lien on the property as provided by Section 1 of Act 8 of 1983. The lien may be enforced in either one of the following manners:

- A. The lien may be enforced at any time within eighteen (18) months after work has been done, by an action in the Chancery Court, or
- B. The amount of the lien herein provided may be determined at a hearing before the governing body of the municipality held after thirty (30) days written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then only after publication of notice of such hearing in a newspaper having a bona fide circulation in the county wherein the said property is located for one (1) insertion per week for four (4) consecutive weeks, the determination of said governing body being subject to appeal by the property owner in the Chancery Court, and the amount so determined at said hearing, plus ten percent (10%) penalty for collection, shall be by the governing body of the municipality certified to the tax collector of the county wherein said municipality is located, and by him placed on the tax books as delinquent taxes, and collected accordingly, and the amount, less three percent (3%) thereof, when so collected shall be paid to the municipality by the county tax collector.

11.20.09 Penalty. A fine of Fifty Dollars (\$50.00) is hereby imposed against the owner or owners of any house, building and/or structure found and declared to be a nuisance by resolution of the City Council of the city of Mountain Home, Arkansas, thirty (30) days after the same has been so found and declared to be a nuisance and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of Fifty Dollars

(\$50.00) for each said separate and distinct offense, provided the notice as herein provided in Section 11.20.04 hereof has been given within ten (10) days after said house, building and/or structure has been by resolution found and declared to be a nuisance.

11.20.10 Judicial condemnation, penalty, previous sections applicable. In the event it is deemed advisable by the City Council of the city of Mountain Home, Arkansas, that a particular house, building and/or structure be judicially declared to be a nuisance by a court having jurisdiction of such matters, the City Council is hereby authorized to employ an attorney to bring such an action for said purpose in the name of the city, and the only notice to be given to the owner or owners of any such house, building and/or structure sought to be judicially declared to be a nuisance will be that as now provided for by law in such cases in a court of equity or Chancery Court. When any such house, building and/or structure has been declared judicially to be a nuisance by a court of competent jurisdiction, a fine of Fifty Dollars (\$50.00) is hereby imposed against the owner or owners thereof from the date said finding is made by the court and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of Fifty Dollars (\$50.00) for each separate and distinct offense. In the event the owner or owners of any such house, building and/or structure judicially found to be a nuisance fails or refuses to abide by the orders of the court, the Building Inspector or any other person or persons referred to in Section 11.20.05 of this chapter will take such action as provided in Section 11.20.06 hereof, and Section 11.20.07 of this chapter will be applicable to such owner or owners. The provisions contained in the immediately preceding sentences apply independently of any action as may be taken by the court judicially declaring the nuisance.

CHAPTER 11.24

CITY INSPECTOR

Sections:

11.24.01	Creating office
11.24.02	Qualifications
11.24.03	Duties
11.24.04	Ex Officio Electrical Inspector
11.24.05	Ex Officio Plumbing and Gas Inspector
11.24.06	Salary and remuneration
11.24.07	Fees
11.24.08	Authority

11.24.01 Creating office. There is hereby created and established the office of City Inspector of the city of Mountain Home, Arkansas, who shall be appointed by a majority vote of the City Council, and who shall serve and hold office at the will and discretion of the City Council. (Ord. No. 159, Sec. 1)

11.24.02 Qualifications. The City Inspector shall be of good moral character and 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 Mountain Home, Arkansas, relating to building, electrical, plumbing and gas work, the National Electrical Code, and the Arkansas State Plumbing Code and shall be qualified to perform the duties of the Building, Electrical and Plumbing Inspector. (Ord. No. 159, Sec. 2)

11.24.03 Duties. It shall be the duty of the City Inspector to see to the enforcement of all ordinances and provisions relating to buildings or zoning and to inspect all buildings or structures being erected or altered, as frequently as may be necessary to insure compliance with the ordinances of the city of Mountain Home, Arkansas, and to perform such duties in connection with the issuing of permits and collection of fees as from time to time are prescribed by the City Council. (Ord. No. 159, Sec. 3)

11.24.04 Ex Officio Electrical Inspector. The City Inspector shall act as Ex Officio Electrical Inspector and shall have all the powers and perform all the duties connected with that office. (Ord. No. 159, Sec. 4)

11.24.05 Ex Officio Plumbing and Gas Inspector. The City Inspector shall act as Ex Officio Plumbing and Gas Inspector and shall have all the powers and perform all the duties connected with that office. (Ord. No. 159, Sec. 5)

11.24.06 Salary and remuneration. The City Inspector shall receive such salary and remuneration as shall be from time to time fixed by resolution of the City Council. (Ord. No. 159, Sec. 6)

11.24.07 Fees. Any and all fees paid for inspections and/or permits issued by the City Inspector shall be paid to the city of Mountain Home, Arkansas, into its general registry fund. (Ord. No. 159, Sec. 7)

11.28.08 Authority No water, electricity or gas shall be turned on for service on premises in which the construction, work or installation does not comply with the ordinances of the city of Mountain Home, Arkansas, and such service shall not be turned on except upon receipt of a final permit or certificate of completion and inspection by the City Inspector; provided, that water, electricity or gas may be turned on for construction work in unfinished buildings. (Ord. No. 159, Sec. 8.)

CHAPTER 11.26**BOARDING & SECURING BUILDINGS****Sections:**

- 11.26.01 General Requirements
- 11.26.02 Penalties

11.26.01 General Requirements

1. Residential, Commercial and industrial buildings shall comply with these requirements for boarding and/or securing of premises in the follow circumstances:
 - a. When necessary for the public health, safety and welfare as determined by the Building Official, Code Enforcement Officer or his/her designee;
 - b. When the property has been declared a nuisance by the City Council;
 - c. When the property has been damaged by fire and is deemed a public health and safety risk by the Fire Chief, Fire Marshal or his/her designee;
 - d. When the property is vacant and has had no utilities connected to the property for a period in excess of 60 days.
2. The boarding of windows and doors of all structures shall comply with the following requirements:
 - a. All boarding materials shall be cut to fit the openings to be secured. Further, all materials shall be weatherproofed, painted and maintained with a color of paint that blends with the overall structure.
 - b. All broken/damaged windows and doors shall be boarded and/or secured within seven (7) days of the incident causing the damage of they have not been repaired/replaced.
 - c. Boarding and securing of a structure does not relieve the owner of the requirement to diligently repair, rehabilitate or demolish and remove the structure or condition.
 - d. All boarding materials shall be removed and all windows and/or doors installed or repaired within six (6) months. The Building Official or his/her designee may extend this time upon a showing of:

- a. A building permit has been issued and work is being done on the premises;
 - b. A permit for demolition is issued on the premises
 - c. An ongoing criminal investigation or insurance investigation which requires the structure to remain untouched;
 - d. The showing of undue hardship that warrants an extension of time. Undue hardship shall be extended one time by the City Council for a period of no longer than six months.
3. Any damage to the roof of a structure requiring a tarp to prevent water damage to the interior of the structure must be repaired and tarps removed within six (6) months of the incident causing the damage. The Building Official may extend this time upon a showing of any of the qualifying circumstances found in the sub-section above.
 4. All properties requiring the boarding and securing of windows and/or doors at the time of the enactment of this Ordinance, shall be boarded in compliance with the City boarding specifications set forth herein, within thirty (30) days from the effective date of this Ordinance.
 5. All properties which currently have a tarped roof at the time of the enactment of this Ordinance shall have repairs completed and the tarp removed within six (6) months from the effective date of this Ordinance. (Ord. No. 2020-4, Sec. 1)

11.26.02 Penalties Any person in violation of this Ordinance shall be deemed guilty of a misdemeanor punishable by a fine of no less than \$100.00. Each day a violation continues to exist shall be deemed a separate offense. (Ord. No. 2020-4, Sec. 2)

CHAPTER 11.28

PLUMBING AND GAS CODE

Sections:

11.28.01	Adoption of Plumbing and Gas Code by reference
11.28.02	Additions and deletions
11.28.03	Back water valve
11.28.04	Connections
11.28.05	Complementary clause
11.28.06	Violations and penalties
11.28.07	Saving clause

11.28.01 Adoption of Plumbing and Gas Code by reference The Arkansas State Plumbing Code 2003 Edition and The Arkansas State Gas Code 1995 Edition or the latest edition adopted by the state of Arkansas is hereby adopted by reference thereto and incorporated herein, verbatim, word for word as is set out in full, including amendments and appendices unless hereinafter specifically amended or deleted by the city of Mountain Home, Arkansas, thereto, and is hereafter known as the “Plumbing Code.” (Ord. No. 05-10, Sec. 1.)

11.28.02 Additions and deletions

- A. **Definitions.** The following terms, as used in the Plumbing Code and this chapter, shall have the following meaning:
1. **Master Plumber.** Any person licensed as a Master Plumber by the Arkansas State Committee of Plumbing Examiners.
 2. **Journeyman Plumber.** Any person licensed as Journeyman Plumber by the Arkansas State Committee of Plumbing Examiners.
 3. **Plumber.** For the purpose of this Ordinance “Plumber” shall be defined as any person, firm or corporation engaged in the business of constructing, installing, altering and cleaning of plumbing systems as defined herein. A plumber shall be a Master Plumber, or in the case of a firm or corporation, the owner and/or principal of such firm or corporation shall be a Master Plumber and all supervisors or foremen shall be either Journeyman Plumbers or Master Plumbers. Foremen, working under the supervision of a Master Plumber, may be Journeyman Plumbers.
 4. **Sewer Service.** Any drain or waste pipe carrying domestic sewage from a building or structure to the sewerage main or other disposal terminal.
 5. **Plumbing Code.** The Arkansas State Plumbing Code 2003 Edition and The Arkansas State Gas Code, 1995 Edition, including all amendments and appendices thereto.
 6. **City.** The city of Mountain Home, Arkansas.

The words “approved plastic pipe” as used in Section 10.1.5 of the Plumbing Code shall mean polyethylene. Ultra-high molecular pipe complying with ASTM D-2737 or equal.

B. **Drainage System** , added after Section 11.8.4, Chapter 11, shall be the following:

1. **Bedding.** When rock is encountered in the bottom of the sewer trench, all sewer pipe shall be bedded on a minimum of 4 inches of compacted, crushed limestone dust or crushed limestone size #12. In the case of plastic pipe, bedding as set out hereinbefore shall be placed in all installations regardless of soil condition. Bedding material shall be placed and compacted on both sides of plastic sewer pipe and to a minimum depth of 6 inches above the top of pipe.
2. **Backfill.** Except as set out above under “Bedding” and except within street right-of-ways, backfill may be clean earth provided such earth is devoid of rocks, brick or broken concrete greater than 4 inches in any dimension.
3. **Building Sewer.** Each residential until and each commercial establishment shall be provided with a building sewer.
4. **Backwater Valve.** Drainage piping serving fixtures within buildings, whether presently constructed or hereafter to be built, the floors of which are not more than two (2) feet above the level of the top of the manhole immediately upstream of the service line connecting the building to the main shall be protected by an approved backwater valve.

C. **Inspection, Tests and Maintenance.** Inserted after Section 14.1.2, Chapter 14, shall be the following:

Local Inspection Required

1. There is hereby created the office of Plumbing Inspector who shall be appointed by the Mayor.
2. The Plumbing Inspector shall have experience in the business of plumbing to the extent it enables him to know when plumbing is installed in accordance with the provisions of the Code. He shall not be connected in any way with any person, firm or corporation directly or indirectly engaged in the business of plumbing or plumbing supplies.
3. It shall be the duty of the Plumbing Inspector to enforce all provisions of this ordinance. The Plumbing Inspector is hereby granted the authority to enter all buildings in the city of Mountain Home, AR, in the performance of his duties, between the hours of 8:00 a.m. and 4:30 p.m. daily.

4. It shall be the duty of the Plumbing Inspector to inspect all plumbing work and to observe all tests of plumbing systems for compliance with the code.

License and Bond Required

1. Any plumber, desiring to do business within the City shall obtain a license annually from the Clerk of the City. Prior to the issuance of said license, the applicant must show proof of valid licensing by the State of Arkansas Committee of Plumbing Examiners.
2. Every plumber doing business in the city of Mountain Home shall execute and deliver to the City a corporate surety bond in the sum of \$1,000.00 to indemnify the City or any citizen for any damage caused by the failure of such plumber to comply strictly with the provisions of the Code and this Ordinance.
3. Appliances which require permanent connection to the potable water system, the sewerage system or to gas piping shall be installed by a master plumber. Exception: A property owner may install such appliance in a single family residence, provided the building is owned and occupied by such owner as his home, and he applies for and is issued a permit to do such work.

Permits, Application and Inspection fees

1. Application for a plumbing permit shall be made on forms provided by the city of Mountain Home, Arkansas, for installation, alteration or repairs other than ordinary repairs. Permits can be purchased at anytime; however, they shall be purchased at least once a month. If the contractor fails to pay for the required permits at least once a month they will be notified no more inspections will be done and their work shall not be covered up until all permits have been paid for and the required inspections completed. It is the responsibility of the plumbing contractor to call for all inspections and to pay all fees. In the event the general contractor calls for the inspections and the work is not complete or does not meet the code the plumbing contractor shall be charged for a re-inspection fee. The fee shall be in accordance with the following:

Inspection Fee	\$40.00 per inspection
Each Plumbing Fixture & Waste Discharging Device	\$1.00
Sewer Connection, Each New or Reconstructed	\$40.00 per inspection
Backflow	\$40.00 per inspection

Inspection includes one (1) rough-in and one (1) final. Any re-inspection due to work not being completed at the time the inspector is called to the job or turned down because it does not meet code will be charged another inspection fee.

Any partial inspection that is done shall also be charged an inspection fee per inspection. (Ord. No. 05-10, Sec. 2.)

11.28.03 Back water valve Drainage piping serving fixtures within buildings, whether presently constructed or hereafter to be built, the floors of which are not more than two (2) feet above the level of the top of the manhole immediately upstream of the service line connecting the building to the main shall be protected by an approved backwater valve. (Ord. No. 05-10, Sec. 3.)

11.28.04 Connections Appliances which require permanent connection to the potable water system, the sewerage system or to gas piping shall be installed by a master plumber. Exception: A property owner may install such appliance in a single family residence, provided the building is owned and occupied by such owner as their home, and they apply for and is issued a permit to do such work. (Ord. No. 05-10, Sec. 4.)

11.28.05 Complimentary clause The provisions of the various Codes adopted by the City regulating construction and occupancy of building 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 a provision of another, the more stringent shall prevail. (Ord. No. 05-10, Sec. 5.)

11.28.06 Violations and penalties Any person, firm, corporation or agent who violates any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each violation and each day such violation shall exist shall be deemed a separate offense. (Ord. No. 05-10, Sec. 6.)

11.28.07 Saving clause Nothing in this ordinance or in the code herein adopted shall be construed to effect any suit or proceeding now pending in any Court, any rights acquired, or liability incurred, nor 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. (Ord. No. 05-10, Sec. 7.)

CHAPTER 11.32
ELECTRICAL CODE

Sections:

11.32.01	Adopted by reference
11.32.02	Board of Adjustments and Appeals/Electrical Code
11.32.03	Licenses
11.32.04	Compliance
11.32.05	Exceptions
11.32.06	Enforcement
11.32.07	Local rule preference
11.32.08	Conduit and switches
11.32.09	Permits, application and inspection fees
11.32.10	Permits and inspections
11.32.11	Complimentary clause
11.32.12	Violations and penalties
11.32.13	Saving clause

11.32.01 Adopted by reference The “National Electrical Code” 2002 Edition adopted by the state of Arkansas is hereby adopted by reference thereto and incorporated herein, verbatim, word for word, as set out in full, including amendments and appendices unless hereinafter specifically amended or deleted, by the city of Mountain Home, Arkansas, thereto and is hereafter known as the "Electrical Code." (Ord. No. 05-8, Sec. 1.)

11.32.02 Board of Adjustments and Appeals/Electrical Code There is hereby established a board to be called the “Board of Adjustments and Appeals/Electrical Code” which shall consist of five (5) members. Such Board shall be composed of:

1. One (1) local power company person;
2. Two (2) electrical contractors; and
3. Two (2) master electricians from the trade.

The said Board shall be appointed by the Mayor of the city of Mountain Home, AR.

- A. **Terms of Office.** Of the first members appointed two (2) shall be appointed for a term of one (1) year, two (2) for a term of two (2) years and One (1) for a term of three (3) years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made.

- B. **Quorum** . Three members of the Board shall constitute a quorum. In varying the application of any provisions of this Code or in modifying an order of the Electrical Inspector, affirmative votes of the majority present, but not less than three (3) affirmative votes shall be required.
- C. **Procedure.** The Board shall establish rules and regulations for its own procedure not inconsistent with the provision of this Code.
- D. **General.** When the Electrical Inspector shall reject or refuse to approve the mode or manner of construction proposed to be followed or material to be used in the installation or alternation of electrical work, or when it is claimed that the provisions of this Code do not apply or that any equally good or more desirable form of installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or incorrectly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Electrical Inspector to the Board of Adjustments and Appeals. Notice of any appeal shall be in writing and filed within 90 days after the decision is rendered by the Electrical Inspector. Appeals shall be on a form provided by the Electrical Inspector.
- E. **Unsafe or Dangerous Buildings:** In case of electrical work in a building or structure which, in the opinion of the Electrical Inspector may, in his order, limit the time for such appeal to a shorter period.
- F. **Variances:** The Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this Code to any particular case when in its opinion the enforcement thereof would do manifest injustice, and would be contrary to the spirit injustice, and would be contrary to the spirit and purpose of this code or public interest or when, in its opinion the interpretation of the Electrical Inspector should be modified or reversed.
- G. **Action.** The Board of Adjustments and Appeals shall in every case, reach a decision without reasonable or unnecessary delay. Each decision of the Board of Adjustments and Appeals, shall also include the reasons for the decision. If a decision of the Board of Adjustments and Appeals reverses or modifies a refusal order or disallowance of the electrical Inspector, or varies the application of any provision of this Code, the electrical Inspector shall immediately take action in accordance with such decision. Every decision of the Board of Adjustments and Appeals shall be final, subject however to such remedy as any aggrieved party might have at law or in equity. (Ord. No. 97-007, Sec. 2.)

11.32.03 Licenses No person, member and/or employee of a firm or corporation shall engage in the electrical business of installing, altering, or repairing any electrical wiring, or fixtures in the city of Mountain Home, Arkansas, unless such person, members and/or employees of a firm or corporation have been duly issued a license by the State of Arkansas to engage in said business. Permits to perform electrical work shall be issued by the City, only to said person, members and/or employees of a firm or corporation holding such licenses.

The above section will not prohibit any person from making necessary repairs or alteration or installations in a residence owned and occupied by him providing a permit is issued and an inspection is made. Neither will this section require railroad electricians to carry a license to perform their duties for the railroad as electricians.

Any person, member and/or employee of a firm or corporation in the city of Mountain Home doing electrical work covered by this ordinance or holding himself or itself out as licensed to do electrical work or engage in the electrical business of one or more branches of the electrical industry as hereinafter defined, without first obtaining an electrical license from the State of Arkansas, hereinafter without the proper license set forth, shall, upon conviction thereof, be guilty of a misdemeanor. (Ord. No. 97-007, Sec. 3.)

11.32.04 Compliance Be it further ordained that every person, firm or corporation doing business in the city of Mountain Home, as a licensed electrical contractor shall strictly comply with the ordinance of the city of Mountain Home. (Ord. No. 97-007, Sec. 4.)

11.32.05 Exceptions Nothing in this ordinance shall be construed or interpreted as applying to any firm or corporation, or employee thereof, engaged in providing communication facilities to the public through a central office operated by it, or a firm or corporation or employees thereof engaged in the generation of electrical energy for light, heat or power or electrically operated transportation. (Ord. No. 97-007, Sec. 5.)

11.32.06 Enforcement

- A. It shall be the duty of the Inspections Department to see that all provisions, rules and regulations of this electrical Ordinance of the city of Mountain Home are fully complied with and to inspect all the electrical work done within the corporate limits for lighting, power or heating and shall keep proper records of such inspections; he shall report the results of inspections to the general contractor or to the owner or occupant of the building or structure in or on which the electrical work is being done, and cause to be corrected any deviations from the requirements of this ordinance, or issue approval in writing, when said requirements are found to be satisfied.

- B. It shall be the duty of the Inspector or his authorized assistants to inspect all interior wires and wiring and all electrical apparatus conducting or utilizing electrical current for any purpose whatsoever, within the limits of the city of Mountain Home. He shall be empowered to make such tests as he may deem necessary to ascertain the condition of such wiring or appliances and he shall have the right to remove or compel the removal of any obstructions, such as lathe, plastering, ceiling or flooring which may hinder a full and complete inspection of such wires or apparatus. He may remove or compel the removal of conductors, which are enclosed in conduit or otherwise inaccessible for complete inspection. When said conductors or appliances are not in accordance with the requirements of this ordinance, or found to be unsafe to life or property, he shall have the right to condemn such conductors or appliances as hereinafter provided.
- C. The Inspector or his authorized assistants shall have the right to enter any building, manhole, subway or premises in the discharging of his duties or for the purpose of making any inspections or tests of any electrical apparatus contained therein.
- D. The Inspector or his authorized assistants are hereby empowered to inspect or re-inspect at his option, all interior wiring and apparatus conducting or using electrical current for lights, heat or power, and when the said conductors or apparatus are found to be unsafe to life or property he shall notify the persons, firm or corporation owning, using or operating them, to place the same in a safe and secure condition within forty-eight (48) hours; or within such time frame as the Electrical Inspector shall determine necessary.
- E. It shall be unlawful for any person, firm or corporation to hinder or interfere with the Electrical Inspectors or any of his authorized assistants in the discharge of their duties under this ordinance. (Ord. No. 97-007, Sec. 6.)

11.32.07 Local rule preference Be it further ordained that, where local rules and regulations are set forth in this ordinance, they shall take preference over any rules conflicting therewith. (Ord. No. 97-007, Sec. 7.)

11.32.08 Conduit and switches

- A. All wiring for lights, power and heat in commercial buildings which are structure normally used for public purposes shall be installed in approved electrical conduit. Commercial buildings are those structures, which are not used for residential purposes, excluding hotels and motels.
- B. All light wiring in commercial buildings in sales and display rooms shall be done with wire not smaller than No. 12 wire.

- C. Residences and apartments shall be done with wire not smaller than No. 12 wire, allowing eight (8) outlets per circuit. However, kitchens and laundry rooms shall not have more than two (2) duplex receptacles per circuit installed with wire not smaller than No. 12 wire. No. 14 wire will be allowed on switch legs only.
- D. Ground wire shall not be smaller than No. 6 gauge.
- E. All wiring installed in or under concrete or other type of floor laid on earth, shall be done with galvanized IMC or rigid conduit not smaller than three-fourths (3/4) inch and wire approved for this purpose, or P.V.C. three-fourths (3/4) inch conduit.
- F. In all residential dwellings a minimum service entrance of not less than 100 amperes shall be installed. All circuits will be identified by writing in proper space provided in the lid of the service panel.
- G. Service entrance switches and meter loops shall be located in readily accessible places. The service entrance and meter loops shall not be placed above any wooden decks. (Ord. No. 05-8, Sec. 3.)

11.32.09 Permits, application and inspection fees Application for an electrical permit shall be made on forms provided by the city of Mountain Home, Arkansas, for installation, alteration or repairs other than ordinary repairs. Permits can be purchased at anytime; however, they shall be purchased at least once a month. If the contractor fails to pay for the required permits at least once a month they will be notified that no more inspections will be done and their work shall not be covered up until all permits have been paid for and the required inspections completed. It is the responsibility of the electrical contractor to call for all inspections and to pay all fees. In the event the general contractor calls for the inspections and the work is not complete or does not meet code, the electrical contractor shall be charged a re-inspection fee. The fee shall be in accordance with the following:

Inspection Fee	\$20.00
Each 110 Opening	.25 per opening
Each 220 Opening	\$2.00 per opening
Each New Service	\$5.00

Inspection includes one (1) rough-in and one (1) final. Any re-inspection due to work not being completed at the time the inspector is called to the job or turned down because it does not meet code will be charged another inspection fee.

Any partial inspection that is done shall also be charged an inspection fee per inspection. (Ord. No. 05-8, Sec. 2.)

- E. **Temporary Service Pole.** There shall be a pole securely set in the ground, pole to be of sufficient height to support the service drop, a minimum of ten (10) feet above ground. Provide meter base, minimum conduit size 3/4 inch, minimum wire size No. 6, and weather head. Equipped with fused or breaker disconnect switch and grounding type receptacle, with a ground fault protection device system to be assembled in conduit and grounded, on construction site.

Temporary Service Temporary power will be allowed prior to final inspection providing the panel cover is installed and the required amount of circuit breakers and receptacles are installed and protected for the purpose of testing and used as needed for construction. The structure shall also be able to be locked to keep out the general public only after inspection and approved certificate is turned into the power company.

If, for any reason, the Inspector finds that permanent power is misused or is used in an unsafe manner for temporary power pole or temporary service, he shall have the right to notify the power company to pull that service immediately. (Ord. No. 05-8, Sec. 4.)

- F. **Rough-In Inspection** Before any interior electrical wiring shall be concealed from view, or in case said wiring is in conduit, before said conduits shall be concealed from view, the person, firm or corporation installing same shall give notice to the Electrical Inspectors Department, who shall, as soon as possible after the receipt of said notice, inspect said work, and no such work shall be concealed from view before the inspection has occurred or the expiration of two (2) working days from the receipt of said notice.
- G. **Final Inspection.** Before any electrical current shall be used upon any electrical wiring of any character, notice shall be served upon the Electrical Inspectors Department, who shall, as soon as possible, make a final inspection of said wiring; and if said installation has been constructed in accordance with the rules and requirements of this ordinance, he shall issue a certificate of inspection, which shall contain an inspection approval and date of said inspection. No current shall be used prior to the issuance of said certificate.
- H. This ordinance shall not be construed to relieve from or lessen the responsibilities of any person, firm or corporation owning, operating or installing electrical wires, 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 the certificate of inspection issued by the Electrical Inspector. (Ord. No. 97-007, Sec. 9.)

11.32.10 Permits and inspections

- A. It shall be unlawful for any person, firm or corporation operating in the City of Mountain Home, to furnish current to any new building, tent, structure or outdoor wiring of any kind, nature or description, without first obtaining a permit from the electrical Inspector's Office and obtaining an inspection certificate.
- B. The said Electrical Inspector is hereby authorized and empowered to cause the turning off of all electric current from all outdoor conductors or apparatus which are deemed by him to be in an unsafe condition or which have not been installed in conformity with the provisions of this ordinance. No person, firm or corporation, or agent hereof shall supply or cause to be supplied any electric current to conductors or apparatus which have been deemed by said Electrical Inspector to be in an unsafe condition or which have not been installed in conformity with the provisions of this ordinance and from which said electrical inspector has caused the electric current to be disconnected. (Ord. No. 97-007, Sec. 10.)

11.32.11 Complimentary clause The provisions of the various Codes adopted by the City regulating construction and occupancy of building 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 a provision of another, the more stringent shall prevail. (Ord. No. 05-08, Sec. 5.)

11.32.12 Violations and penalties Any person, firm, corporation or agent who violates any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each violation and each day such violation shall exist shall be deemed a separate offense. (Ord. No. 05-8, Sec. 6.)

11.32.13 Saving clause Nothing in this ordinance or in the code herein adopted shall be construed to effect any suit or proceeding now pending in any Court, any rights acquired, or liability incurred, nor 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. (Ord. No. 05-8, Sec. 7.)

CHAPTER 11.36

EXPLOSIVES

Sections:

11.36.01	Definitions
11.36.02	Storage, transportation and use prohibited
11.36.03	Manufacture, sale, storage and use prohibited
11.36.04	Permissible high explosives
11.36.05	Permit, application and approval
11.36.06	Safety precautions
11.36.07	Failure to comply deemed unlawful
11.36.08	Time limit
11.36.09	Revocation of permit
11.36.10	Penalty for violation

11.36.01 Definitions. The following definitions shall apply to this chapter:

Person means an individual, firm, partnership, corporation or entity other than a public utility as described in Section 11.36.01 (C).

Audible Sound Device means a device which produces an audible sound of no less than seventy (70) decibels at a distance of five hundred (500) feet from the site of the explosion and shall not be or include a truck or vehicle horn or siren.

Public Utility means an individual, firm, partnership or corporation which furnishes a public utility type service to the inhabitants of the city or immediate area adjacent thereto pursuant to a franchise, consent or contract with the city, but shall not include employees of a parent or subsidiary corporation, firm or enterprise performing work for a public utility company.

Approved Blasting Operations means blasting pursuant to a permit issued any person or public utility pursuant to the provisions of this chapter.

City means the city of Mountain Home, Arkansas, and its corporate limits as now existing or hereinafter established. (Ord. No. 568, Sec. 1)

11.36.02 Storage, transportation and use prohibited. The storage, transportation or use of nitroglycerin based explosives or blasting agents is hereby prohibited within the city.

11.36.03 Manufacture, sale, storage and use prohibited.

- A. The manufacture, sale, storage and use of explosives and blasting agents is prohibited within the city except for temporary storage, transportation and use in connection with approved blasting operations as hereinafter provided, emergency blasting operations by a public utility and the storage and sale of wholesale and retail stocks of small firearms ammunition, explosive bolts, explosive rivets or cartridges for explosive-actuated power tools in quantities involving less than five hundred (500) pounds of explosive material.
- B. "Temporary Storage" means that amount of high explosives which will be used in the current day's operations and permissible high explosives shall not be left at any site or project during the non-working hours. (Ord. No. 568, Sec. 3)

11.36.04 Permissible high explosives. Only non-nitroglycerin products as hereinafter authorized including, but not limited to, water gels and slurries, may be used within the city. (Ord. No. 568, Sec. 4)

11.36.05 Permit, application and approval.

- A. Every person or public utility who shall hereinafter contemplate blasting any rock or other substance within the city, shall before blasting, file application for permit with the Mayor.
- B. Except as otherwise provided herein, no person or public utility shall commence blasting until he receives a permit. Any number of locations may be set out in any one (1) application or permit.
- C. Every person shall notify the Police Department for each location that blasting is to be done prior to detonation of explosives pursuant to a permit issued such person.
- D. Every person or public utility that shall contemplate blasting operations of any type within the city during any year may apply anytime during that year for a blanket permit for a period not to exceed one (1) year from the date of issuance. This blanket permit will authorize and allow the person or public utility to all rights and privileges extended to those persons holding permits except that it will authorize any and all necessary blasting by the person or public utility without the necessity of offering permits for each individual blasting operation. After receipt of the blasting permit, the person or public utility may proceed with the necessary blasting as it deems proper with the only requirement being that the person or public utility notify the Police Department of each location of blasting operations prior to detonation.

- E. In an emergency situation, a public utility shall not be required to obtain any permit or permission of any type to undertake blasting operations. An emergency situation arises when a situation calls for immediate remedial action to protect the public utility's customers, the public's property or lives, or to minimize damage to or loss of utility property. When acting in an emergency situation, a public utility shall notify the Mayor of its actions as soon as reasonably possible after the emergency ends. (Ord. No. 568, Sec. 5, as amended by Ord. No. 663, Sec. 1)

11.36.06 Safety precautions.

- A. Every person using explosives as permitted herein shall sound an audible sound device, three (3) separate ten (10) second sounds made approximately thirty (30) seconds prior to detonation of explosives and one sixty (60) second sound after the detonation of explosives or when the blast area is safe.
- B. Every person and/or public utility using explosives shall cover the entire blast area of loaded holes in the blast pattern with mats, timbers or un-compacted earth of sufficient width, length and thickness, or other sufficient safety precautions as to prevent fragments of rock, earth and debris from ascending into the air.
- C. In the event any public utility should obtain or devise an alternative method to ensure fragments of rock, earth, and debris to not ascend into the air from a blasting operation, the alternative method will be acceptable provided the Mayor is informed of the alternative method and approves same prior to its use. (Ord. No. 568, Sec. 6, as amended by Ord. No. 663, Sec. 6)

11.36.07 Failure to comply deemed unlawful. It shall be unlawful for any person or public utility to do or cause to be done any blasting of any rock or other substance within the city without first having complied with the provisions of this chapter and having received a permit as herein specified. The sole exception to this section is emergency blasting operations of a public utility as provided in Section 11.36.05(E). (Ord. No. 568, Sec. 7)

11.36.08 Time limit. All permits issued under the terms of this chapter shall, unless revoked, expire at the date provided therein and in no case shall a permit be issued for a period greater than three hundred sixty-five (365) calendar days from the date of issuance and the same shall be renewable annually by the Mayor. (Ord. No. 568, Sec. 8, as amended by Ord. No. 663, Sec. 5)

11.36.09 Revocation of permit. Any permit granted under the provisions of this chapter other than a blanket permit to a public utility may be revoked if, in the opinion of the Mayor, the person conducting blasting operations is doing so in an unsafe manner or in violation of any of the provisions contained herein. Should the Mayor determine that a person or public utility is

conducting an approved blasting operation in an unsafe manner, the Mayor may direct the person or public utility to discontinue that individual blasting operation and suspend the permit at that one particular location until such time as a conference can be arranged between the Mayor and representatives of such person or public utility to resolve the complaints of the Mayor. Permits can be revoked only after sixty (60) days written notice to such person or public utility following a conference between the Mayor and representatives of the person or public utility held to resolve any complaints of the Mayor as to the blasting operations. Blasting or setting off of explosives after the suspension of such operations at a particular location or after a revocation of permit shall constitute a violation of this chapter. (Ord. No. 568, Sec. 9, as amended by Ord. No. 663, Sec. 6)

11.36.10 Penalty for violation.

Any person or public utility who shall violate any of the provisions of this chapter shall, upon conviction, be fined the sum of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty dollars (\$250.00) and each separate blast discharged or caused to be discharged by such person without complying with the provisions hereof shall be deemed a separate offense. (Ord. No. 568, Sec. 10)

CHAPTER 11.40

CONTRACTOR'S LICENSE

Sections:

- | | |
|----------|-------------|
| 11.40.01 | License fee |
| 11.40.02 | Exemptions |

11.40.01 License fee. Before any person, firm, corporation and/or organization constructs, alters and/or repairs any commercial or residential, building parking lot and/or driveway, they shall register with the city of Mountain Home, Arkansas, and pay to the city a license fee of Thirty Dollars (\$30.00) per year, said year running from March 1st to February 28th each year. (Ord. No. 88-011, Sec. 1)

11.40.02 Exemptions. The following are exempt from said license fee, but with the exemption of Subparagraph A are still required to register with the city prior to commencing work on any of the projects set out in Section 11.40.01.

- A. Any person, firm, corporation or organization constructing, altering or repairing their own private residence.

- B. Any person, firm, corporation and/or organization which has a valid contractor's license issued by the state of Arkansas or registered pursuant to provisions of Act 859 of the Acts of Arkansas, 1987.
- C. Any person, firm, corporation and/or organization which has a valid occupational license issued by the city of Mountain Home, Arkansas, for that particular business. (Ord. No. 88-011, Sec. 2)

CHAPTER 11.44

MECHANICAL CODE

Sections:

- 11.44.01 Adoption
- 11.44.02 Permits, application and inspection fees
- 11.44.03 Complementary clause
- 11.44.04 Violations and penalties
- 11.44.05 Saving clause

11.44.01 Adoption The Arkansas Mechanical Code 2003 Edition or the latest edition adopted by the state of Arkansas is hereby adopted by reference thereto and incorporated herein, verbatim, word for word as is set out in full, including amendments and appendices unless hereinafter specifically amended or deleted by the city of Mountain Home, Arkansas thereto, and is hereafter known as the "Mechanical Code." (Ord. No. 05-9, Sec. 1.)

11.44.02 Permits, application and inspection fees Application for a mechanical permit shall be made on forms provided by the city of Mountain Home, Arkansas, for installation, alteration or repairs other than ordinary repairs. Permits can be purchased at anytime; however, they shall be purchased at least once a month. If the contractor fails to pay for the required permits at least once a month, they will be notified that no more inspections will be done and their work shall not be covered up until all permits have been paid for and the required inspections completed. It is the responsibility of the mechanical contractor to call for all inspections and to pay all fees. In the event the general contractor calls for the inspections and the work is not complete or does not meet code, the mechanical contractor shall be charged for a re-inspection fee. The following fee schedule shall be substituted for the "Schedule of Permit Fees: found at appendix B of the Mechanical Code:

Residential Inspections: per inspection

One (1) unit	\$40.00
For each additional units	\$10.00

Commercial Inspections: per inspection

One (1) unit	\$50.00
For each additional unit	\$10.00

Note: One (1) unit consists of one (1) A.C. unit and one (1) heating or combination heat and air unit.

Inspection includes one (1) rough-in and one (1) final. Any re-inspection due to work not being completed at the time the inspector is called to the job or turned down because it does not meet code will be charged another inspection fee.

Any partial inspection that is done shall also be charged an inspection fee per inspection.

Inspection of alterations and additions to an existing system shall be \$35.00 per inspection unless a new unit is installed. (Ord. No. 05-9, Sec. 2.)

11.44.03 Complementary clause The provisions of the various codes adopted by the city regulating construction and occupancy of building 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 a provision of another, the more stringent shall prevail. (Ord. No. 05-09, Sec. 3.)

11.44.04 Violations and penalties Any person, firm, corporation or agent who violates any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each violation and each day such violation shall exist shall be deemed a separate offense. (Ord. No. 05-09, Sec. 4.)

11.44.05 Saving clause Nothing in this ordinance or in the code herein adopted shall be construed to effect any suit or proceeding now pending in any court, any rights acquired, or liability incurred, nor 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. (Ord. No. 05-09, Sec. 5.)

CHAPTER 11.48

MOVING OF BUILDINGS

Sections:

- | | |
|----------|--------------------------|
| 11.48.01 | Time limitations |
| 11.48.02 | Foundation |
| 11.48.03 | Outbuildings |
| 11.48.04 | Violations and penalties |

11.48.01 Time limitations The relocation or moving of any residential, business or commercial building onto property within the city of Mountain Home, Arkansas, will require the property owner to complete the placement of that structure onto an adequate foundation and prepare the exterior of the structure to be of reasonable attractive appearance, all within 180 days after relocation to the property. (Ord. No. 2001-17, Sec. 1.)

11.48.02 Foundation The foundation shall comply with the Building Codes for the city of Mountain Home, Arkansas, and a city Building Codes Inspector shall inspect the foundation. (Ord. No. 2001-17, Sec. 2.)

11.48.03 Outbuildings This ordinance shall not apply to outbuildings and storage sheds of less than 200 square feet. (Ord. No. 2001-17, Sec. 3.)

11.48.034 Violations and penalties Any person, firm, corporation or agent who violated any provision of this ordinance shall be guilty of a misdemeanor, and shall, upon conviction, pay a fine of not less than One Hundred Dollars (\$100.00), nor more than Two Hundred And Fifty Dollars (\$250.00) with each day deemed a separate offense. (Ord. No. 2001-17, Sec. 4.)

CHAPTER 11.52

ENERGY CODE

Sections:

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|----------|----------------------|
| 11.52.01 | Adoption |
| 11.52.02 | Complimentary clause |
| 11.52.03 | Fine |

11.52.01 Adoption The Arkansas Energy Code 2011 Edition or the latest edition adopted by the state of Arkansas is hereby adopted by reference thereto and incorporated herein, verbatim, word for word as is set out in full, including amendments and appendices unless hereinafter specifically amended or deleted by the city of Mountain Home, Arkansas, thereto, and is hereafter known as the Energy Code. (Ord. No. 2012-14, Sec. 1.)

11.52.02 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, Energy Code and the like shall be complimentary one to the other. In the event that a provision of one conflicts with a provision of another, the more stringent shall prevail. (Ord. No. 2012-14, Sec. 2.)

11.52.03 Fine Any person, firm, corporation or agent who violates any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each violation and each day such violation shall exist shall be deemed a separate offense. (Ord. No. 2012-14, Sec. 3.)