

Ordinance 2018-6

AN ORDINANCE AMENDING ORDINANCE NO. 2003-15 ESTABLISHING NEW AND REVISED BUILDING PERMITS AND FOR OTHER PURPOSES

Whereas, the City of Ozark has added to ordinance 2003-15 the following:

Ordinance 2003-15 is still valid and enforceable with these additional requirements as adopted in Ordinance 2018-6.

A fine of \$75.00 per day will be assessed on any project started without a permit.

Inspection Schedules for the following:

STORM SHELTERS	\$50.00 (includes 2 trips)
FENCE	\$35.00
POOL	\$25.00
ROOF	\$1.25 per square plus \$25.00 inspection
HOUSE MOVING	1.25/100 SQUARE FOOT plus \$25.00 Water/Sewer Inspection (includes mobile homes)
DRIVEWAY	\$30.00 – Approved by Street Department.

Adopted this day of June 11, 2018

Mayor T. R. McNutt

Attest:

Sonya Eveld, City Clerk

ORDINANCE NO. 2003- 15

AN ORDINANCE AMENDING ORDINANCE NO. 2000-3 ESTABLISHING NEW AND REVISED BUILDING PERMITS AND FOR OTHER PURPOSES

Whereas the City of Ozark has established a more comprehensive and modern set of building permit fees which are in line with industry practice; and

Whereas it is necessary to amend previous ordinances relating to permits and permit fees for construction within the City of Ozark.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS, THAT:

I.

From and after the passage and approval of this ordinance, any person, partnership, firm, or corporation responsible for commencing or engaging in the construction, addition, fencing, building, re-plumbing, or re-wiring of any building or structure, of any kind or nature, inside the city limits of the City of Ozark, Arkansas, shall apply for and obtain a building permit from the city clerk of the City of Ozark and pay a fee therefore.

II.

The charge for such permit shall be based upon the use designation listed below and in accordance with the schedule of fees listed below;

BUILDING PERMIT & INSPECTION SCHEDULE

RESIDENTIAL--- Based on square footage of each family unit or dwelling. If there are multiple units, then each family unit is considered separately.

Building Permit--- \$0.05 per square foot of heated space.

Electrical Permit--- \$50.00 plus one inspection fee of \$15.00.

Plumbing Permit--- \$50.00 plus one inspection fee of \$15.00.

Heat & Air Permit--- \$15.00 for the first unit plus one inspection fee of \$15.00. Each additional unit shall be \$10.00.

Inspections required but not covered under permit schedule will be at a charge of \$15.00 per trip.

Inspections required will be in accordance with SBCCI B015.6 schedule. If an inspection is made, but work performed does not meet code, there will be an additional \$15.00 for return inspection. Twenty-four (24) hour notice is required for all inspections.

For all demolition and house moving there will be a \$15.00 water/sewer inspection fee. The mover of a building or structure shall furnish to the City of Ozark proof of insurance to pay for all damage that might result from the moving of said building or structure to or from public or private property in the City of Ozark.

COMMERCIAL—Based on dollar value

Building Permit---	\$0-\$10,000.00	\$15.00 inspection fee
	\$10,001- and greater	\$61.00 plus \$2.00 for each additional \$1000 valuation or fraction thereof
	\$50,001-greater	\$141.00 plus \$2.00 for each additional \$1000 valuation or fraction thereof
	\$100,000- greater	\$241.00 plus \$1.50 for each additional \$1000 valuation or fraction thereof
	\$1,000,001-greater	\$1,591.00 plus \$1.00 for each additional \$1000 valuation or fraction thereof.

For sign erection and repair- same as rates for commercial building permits listed above.

For residential construction consisting of four or more residential units on one piece of property and a part of the same construction project, the commercial permit and inspection fees will apply.

Required inspections @ \$6.00 per trip SBCCI B105.6 schedule

Electrical Permit--- First 15 circuits @2.50 per circuit. All circuits over 15 shall be @\$1.50 per circuit.

Inspections shall be made at \$6.00 per inspection.

Plumbing Permit---

- | | |
|----------------------------|-------------------------|
| a) commode---\$ 3.00 | b) sinks- \$3.00 |
| c) lavatories--- \$3.00 | d)showers---\$3.00 |
| e) bathtubs---\$3.00 | f)sewer--- \$2.00 |
| g) washing machine--\$3.00 | h)floor drain---\$10.00 |
| i)dishwasher---\$5.00 | j)urinal--\$10.00 |

- k) water---\$2.00 l) hot water heater--- \$5.00
m) drinking fountain--\$10.00 n) gas service--- \$2.00
o) grease trap---\$20.00

Inspections will be made at \$6.00 per inspection.

Inspections required but not covered under permit schedule will be at a charge of \$15.00 per trip.

Heat, Air & Refrigeration---

\$30.00 per unit plus one \$10.00 per ton per unit with a maximum of \$250.00

Twenty- four (24) hour notice is required for all inspections.

III.

It shall be unlawful for any person, partnership, firm, or corporation to fail to obtain such permits or show proof of insurance as provided herein, and any person, partnership, firm, or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and subject to a fine of not less than \$100.00 nor more than \$500.00

IV.

If any person, partnership, firm, or corporation fails to display their permit on the building site, the city inspector shall order that all construction cease until a permit is displayed.

V.

The city inspector of the City of Ozark shall make the inspections contemplated herein.

VI.

After the expiration of six months from the date of the initial permit, if construction is not completed, an additional permit shall be applied for and obtained from the City of Ozark, however, there shall be no additional permit fee for the renewal application.

VII.

All ordinances and parts of ordinances in conflict herewith are hereby repealed, and specifically, Ordinance Nos. 1991-7, 1991-11, and 1991-13 are hereby repealed.

VIII.

Should any section or provision of this ordinance be held void or invalid, for any reason, it shall not affect the validity of any other section or provision herein.

IX.

It being necessary for the preservation of the public health, welfare, peace, and safety, this Ordinance shall be in full force and effect immediately upon its passage.

Passed and approved this 13th day of October, 2003. 10/13/03

C. L. Coley
Mayor, C.L. Coley

ATTEST:

Carol Sneath
City Clerk, Carol Sneath

Special Permit uses:

- A. bed and breakfast
- B. churches
- C. schools

Prohibited uses:

- A. manufactured homes
- B. mobile homes

Provisions of ~~R-2~~ R2:

- A. minimum lot area 8,000 sq. ft. for the initial unit, and 1,500 sq. ft. per each additional unit
- B. minimum lot width 60 ft.
- C. maximum height 3 stories or 36 ft. whichever is highest
- D. front yard 25 ft.
- E. (1) side yard 7.5 ft.
- E. (2) side yard with street 25 ft.
- F. rear yard 10 ft. off property line
- G. off-street parking two (2) per family unit
- H. places of public assembly
 - (1) yard 25 ft. from all property lines
 - (2) off-street parking one (1) space per 5 persons accommodated
- I. no privacy fences shall be constructed in the front setback area

R-3 Medium-High Density Residential District The principal use of land shall be for large, consolidated or detached, residential structures with over four family dwellings. This district shall be designed to accommodate structures such as retirement centers and apartment complexes or any such structure which will be used for the occupancy of more than four family units.

Permitted uses:

- A. residential dwellings with over four family units, consolidated or detached
- B. retirement centers
- C. nursing homes
- D. housing projects
- E. apartment complexes
- F. child care centers, child care intensive home facilities, and adult daycares
- G. public or private schools, parks, and churches

Prohibited uses:

- A. manufactured homes
- B. mobile homes

Provisions of R-3:

- | | | |
|----|---|--|
| A. | minimum lot area | 12,000 sq. ft. per first four family units or structure and 1,500 sq. ft per each additional family unit or accessory building |
| B. | minimum lot width | 125 ft. at front yard line |
| C. | maximum height | 3 stories or 36 ft. whichever is highest |
| D. | front yard | 30 ft. |
| E. | side yard | 15 ft. with or without street |
| F. | rear yard | 10 ft. off property line |
| G. | no privacy fences shall be constructed in the front setback area | |
| H. | no building shall not cover over 60 percent (60%) of the lot area | |
| I. | parking | two (2) parking spaces per family unit or single family dwelling |

R-4 Manufactured Home District This district is intended to accommodate a dwelling unit constructed in a factory in accordance with the federal standards and meeting the definition set out in the Federal Standards 42 U.S.C. 5401, et seq. (January 1, 1976) and A.C.A. 20-25-102. It is the intent that this district be located so as not to adversely affect the established residential development patterns and densities in the city. Such locations, however, shall have necessary public utilities, community facilities, and other public services in order to provide a healthful living environment with the normal amenities associated with residential districts of the city.

Permitted uses:

- A. manufactured homes parks
- B. manufactured home park accessory and service buildings
- C. manufactured home subdivision
- D. public or private schools, parks, and churches

Provisions of R-4:

- | | | |
|----|-----------------------------------|--|
| A. | minimum lot area | |
| | (1) manufactured home park | 2 acres with 4,500 sq. ft. per dwelling unit |
| | (2) manufactured home subdivision | 4,500 sq. ft. |
| B. | minimum lot width | 45 ft. at building line |
| C. | maximum height | 1 story |
| D. | front yard | 25 ft. setback |
| E. | (1) side yard | 10. ft. |
| | (2) side yard with street | 25 ft. |
| F. | space clearance | 20 ft. between homes |
| G. | rear yard | 15 ft. off property line |
| H. | fencing | No privacy fence shall be constructed in the front setback area. |
| I. | off-street parking | two (2) per family unit |

In addition, the R-4 Manufactured Home District shall adhere to the following requirements and limitations:

- A. The manufactured home shall meet all requirements as defined in Art. III and must possess all necessary building and occupancy permits and other certifications required by the city of Ozark for a dwelling unit.
- B. In a manufactured home subdivision, the home must be appropriately sited on the lot with the front of the home oriented to the front of the lot, and all required setbacks (front, side and rear) of the zoning district in which the home is located must be met without any exceptions or variances.
- C. The home shall be installed in accordance with the manufacturer's instructions as recognized by the Arkansas Manufactured Home Commission, including site preparation, pier foundations-footings, pier support columns, and anchoring. Installation shall include the construction of a perimeter foundation enclosure of brick, stone or exterior material used on site-built residential and installed in conformance with the manufacturer's installation instructions.
- D. The dwelling shall be occupied only as a single-family residential use. (Ord. No. 2008-7, Sec. 2.)

R-5 Variable Density Residential District This district is intended to provide for medium density dwellings and includes a wide variety of housing types, including manufactured homes. The principal use of land is for single family, two-family dwellings, townhouses and multiple family dwellings such as duplex, triplex and four-plex style structures. Recreational, religious, and educational uses normally located to service residential areas are also permitted to provide the basic elements of convenient, balanced and attractive living areas.

The establishment, location and use of manufactured homes as individual-site, single family residences shall be permitted in the R-5 Zoning District subject to all requirements and limitations generally apply to such residential use in each of the respective districts, and provided such homes shall meet all of the following requirements and limitations:

Permitted uses:

- A. up to four family dwelling, detached or consolidated
- B. manufactured homes
- C. all permitted R-1 uses

Provisions for R-5:

- | | | |
|----|--|--|
| A. | single family dwellings | must comply with all R-1 provisions |
| B. | townhouses, duplex, triplex
& four-plex | must comply with all R-2 provisions |
| C. | manufactured homes single family | 1,000 sq. ft. minimum living area; no less than 20 ft. width and roof pitch no less than 4 in 12. All living units shall be built on a solid perimeter foundation enclosure of concrete block, brick, or stone. The manufactured home shall be installed meeting the manufacturer's instructions with all wheels, tires, axles, and parts used for towing being removed. |
| D. | minimum lot area | 7,000 sq. ft. |
| E. | minimum lot width | 75 ft. |
| F. | maximum height | 3 stories or 36 ft., whichever is highest |
| G. | front yard | 25 ft. setback |
| H. | side yard | 7.5 setback |
| I. | space clearance | 15 ft. between homes |
| J. | rear yard | 10 ft. off property line |
| K. | off-street parking | 2 parking spaces per residence |
| L. | places of public assembly | |
| | (1) yard | 25 ft. from all property lines |
| | (2) parking | 1 space per 5 persons accommodated
(Ord. No. 2008-7, Sec. 3.) |

C-1 Central Business District The Central Business District is a permanent site within the city of Ozark which represents the core section of downtown. This district serves as the historic retail center of the community. The intent of the district is to encourage a diversity of uses that sustain the historic character of the downtown.

Permitted uses:

- A. retail establishments selling mainly goods described as grocery, pharmaceutical, hardware, variety, dry goods, automotive parts, carpentry, and like establishments.
- B. eating establishments such as cafes and restaurants
- C. professional offices for banking, law firms, accountants, title companies, utilities, etc.
- D. service outlets such as barber shops, beauty salons, etc.
- E. government offices
- F. places of public assembly and churches
- G. upper story apartments and lofts
- H. structures with mixed residential and commercial uses

Special Permit uses:

- A. bed and breakfast
- B. convenience or liquor store

Prohibited uses:

- A. utility staging yards
- B. automotive salvage yards
- C. freestanding vending machines, as a principal use
- D. mini-storage

Provisions of C-1:

- A. front and side yards
 - B. rear yard
 - C. height
- no specific distance required
no requirements except on lot
abutting residential lot, then setback
shall be 25 ft.
4 stories or 48 feet, whichever is
greater

C-2 General Business District This district is designed for the general operation of business. Such business will cater to typical traffic flow of patrons and vendors. The idea is for such business to handle the needs of the public without creating hazard or impedance to the public.

Permitted uses:

- A. all retail establishments
- B. all service establishments including motels, hotels, offices, restaurants, service stations, laundry, etc.
- C. government offices and facilities
- D. place of public assembly
- E. medical facilities and clinics
- F. public or private schools, parks, and churches
- G. child care centers and adult daycares
- H. Recreational vehicle campgrounds, in conformance with applicable regulations
- I. sexually oriented business meeting all applicable state regulations and subject to all the requirements contained within this code

Provisions of C-2:

- | | | |
|----|--|--|
| A. | minimum lot area | 5,000 square feet |
| B. | front yard | minimum of 30 ft. |
| C. | side yard | minimum of 30 ft. on property abutting a residential use zone or 15 ft. on property abutting a commercial use zone |
| D. | rear yard | minimum of 10 ft. from rear lot line or center of alley, if one exists |
| E. | lot coverage | No structure shall cover more than one-half (½) the lot area. |
| F. | load and unload | In no way shall any public right-of-way or alley be blocked or traffic impeded for the purpose of load or unload; designated area shall be provided on the property. |
| G. | parking | commercial – one space per employee with one additional space per 200 sq. ft. of building retail space. |
| H. | places of assembly parking
(Ord. No. 2004-6, Art. IV) | one space per 10 persons |

C-3 Neighborhood Commercial and Quiet Business This district is intended to accommodate quiet businesses, professional offices, medical and dental offices and essentially include facilities which can be located adjacent to or combined with multi-family residential uses without undue harmful effects to the residential uses and adjacent areas. This district can serve as a buffer between higher intensity commercial districts and residential districts. Where commercial development exists adjacent to single-family residential zoning, it should be limited to frontage lots of arterial streets only.

Permitted uses:

- A. professional offices
- B. medical and dental offices
- C. government offices and facilities
- D. place of public assembly
- E. florist shop, photographic or music studio
- F. antique or gift shop
- G. barber or beauty shop
- F. public or private schools, parks, and churches
- G. child care centers and adult daycares

Special Permit uses:

- A. bed and breakfast
- B. mini-storage

Provisions of C-3:

- A. This district will be limited to low traffic volume and with operating hours of not earlier than 7:00 a.m. and no later than 9:00 p.m.
- B. To reduce impact on adjacent neighborhoods, no building will be constructed or renovated with exposed metal walls on any side. This does not prohibit metal fascia or ornamental trim, or metal siding of the type customarily used in residential construction.
- C. minimum lot area 5,000 square feet
- D. front yard min of 30 ft.
- E. side yard: min of 40 ft. on property abutting a residential use zone or 20 ft. on property abutting a commercial use zone.
- F. rear yard: min of 10 ft. from rear lot line or center of alley if one exists.
- G. lot coverage: No structure shall cover more than one-half (1/2) the lot area.
- H. load and unload: In no way shall any public right-of-way or alley be blocked or traffic impeded for the purpose of load or unload; a designated area loading or unloading area shall be provided on the property.
- I. parking commercial – one space per employee with one additional space per 200 sq. ft. of building.
- J. places of assembly one space per 10 persons
(Ord. No. 2007-19, Sec. 1.)

I-1 Industrial District This zone is reserved for industry capable of processing in manufacturing and agriculture. These activities may involve the storing of bulk materials and the use of such materials in processing.

Permitted uses:

- A. manufacturing, compounding, processing, packaging, assembling of products in large quantities and accessory mechanics of such activity
- B. storage of materials in bulk or dry storage
- C. use of facilities designed to load or unload to barge, airline, train, or truck for the transport and delivery of such product

Prohibited uses:

- A. residential uses