ORDINANCE NO. 2020 - 1

AN ORDINANCE PROVIDING THE ISSUANCE OF BUILDING PERMITS BY THE CITY OF OZARK, ARKANSAS, DECLARING AN EMERGENCY, AND OTHER PURPOSES.

WHEREAS the city of Ozark is in need of a building permit system that is more in line with industry standards;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK.

Section 1:

1-1 Building permits required

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore issued by Ozark City Hall personnel or building inspector and shall be in conformity with the provisions of this chapter unless a written order is received from the city council, Mayor, or planning and zoning committee in the form of an administrative review or variance as provided by ordinance.

1-2 Application for building permit.

Applications for building permits shall be accompanied by plot plans, or site plans in duplicate (drawn to scale) showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of proposed buildings or alterations. The application shall include such other information as lawfully may be required by the building inspector, including existing or proposed uses of the building or land; the number of families, house-keeping units, or rental units the building is designed to accommodate conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this ordinance.

One copy of the plan shall be returned to the applicant by the building inspector after he shall have marked such copy as either approved or disapproved and attested the same by his signature. A copy of the plans, similarly marked, shall be retained by the building inspector.

1-3 Expiration of building permit.

If the work described in any building permit has not begun within six (6) months after the date of issuance thereof, said permit shall expire; it shall be canceled by the building inspector, and written notice thereof shall be given to the persons affected, together with the notice that further work as described in the canceled permit shall not proceed unless a new building permit, has been obtained.

If the work described in the building permit has not been substantially completed within one (1) year of the date of issuance thereof, said permit shall expire and be canceled by the building inspector, and written notice thereof shall be given to the persons affected, together with the notice that further work as described in the canceled permit shall not proceed unless a new building permit, has been obtained.

1-4 Certificates of zoning compliance for new, altered, or nonconforming uses.

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance shall have been by the planning and community development division director or his designated representative stating that the proposed use of the building or land conforms to the requirements of this chapter.

No nonconforming structure or use shall be renewed, changed, or extended until a certificate of zoning compliance shall have been issued by the planning and community development division director. The certificate of zoning compliance shall state specifically wherein the nonconforming use differs from the provisions of this chapter.

The planning and community development division director shall maintain a record of all certificates of zoning compliance, and a copy shall be furnished upon request to any person.

Failure to obtain a certificate of zoning compliance shall be a violation of this ordinance and punishable under section 3 of this ordinance.

1-5 Construction to be as provided in applications, plans, permits, and certification of zoning compliance.

Building permits or certificates of zoning compliance issued on the basis of plans and applications approved by the building inspector and/or planning and zoning committee authorize only the arrangement and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Arrangement or construction at variance with that authorized shall be deemed a violation of this ordinance, and punishable as provided by section 3 of this ordinance. Subsequent lawful changes of use shall not be deemed a violation.

1-6 Certificate of occupancy.

- a. Purpose. Certificates of occupancy are required to ensure that completed structures and the development of property of which such structures comply with the provisions of this ordinance, as well as any site plans or conditional approvals for such structures and development.
- b. Certificate of occupancy required. No new structure or addition to an existing structure shall be occupied unless a certificate of occupancy is issued by the building inspector.
- 1-7 All Arkansas Contractors Licensing Board regulations and laws shall be adhered to.

Section 2: Permit Fees

- **2-1** The permit fees and inspection rates for the construction of or construction upon residential, commercial, multifamily, and industrial projects shall be as set forth in the attached rate schedule attached hereto and incorporated herein and adopted by reference.
- **2-2** The permit fee for construction of or construction upon residential structures, commercial, multifamily, and industrial projects shall include plumbing permit, electrical permit, HVAC permit, and three (3) building inspections. In the event additional building inspections are needed the cost for each subsequent inspection shall be twenty-five dollars (\$25.00).
- 2-3 Remodeling of residential, commercial, and industrial structures shall be deemed the same as new construction and the required permits, fees, and laws associated with this ordinance.
- 2-4 Other permits and fees required by the city of Ozark are as follows:
 Demolition of house or building permit \$50.00
 Driveway permit \$25.00 with approval by Street Department
 Fence permit \$25.00
 House moving permit \$50.00
 HVAC/Ducting replacement permit \$25.00
 Portable Building/Carport permit \$25.00
 Re-Roofing permit \$25.00
 Storm Shelter permit \$25.00
 Swimming Pool permit \$25.00

Section 3: Penalties for Violation

3-1 Violation of the provisions of this chapter or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall, upon conviction, be punishable by a fine not to exceed \$1,000.00, or double such sum for each repetition thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed seventy-five dollars (\$75.00) for each day that the violation is unlawfully continued.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

Violations of this Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief, nor does the imposition of a penalty prevent the revocation or suspension of a variance, use, license, or permit.

Section 4: Emergency Clause

4-1 It is hereby found and declared by the City Council that the need for and benefits of the inspection and fees described herein constitute an immediate menace to the health, welfare, and safety of the citizens of the City so that an emergency is hereby declared and that this ordinance shall be effective from and after the date of its passage.

All ordinances and parts of ordinances in conflict herewith are hereby repealed, and specifically ordinance 2018-10.

ORDINANCE 2020-11

Passed this 12th day of October, 2020

Roxie Hall, Mayor

Susan Stevens, City Clerk

CITY OF OZARK BUILDING/CONSTRUCTION PERMIT APPLICATION 2910 W. COMMERCIAL ST, OZARK, AR 72949 (479) 667-2233

Date of Application I, _________ (address) _______ (phone) ______ Hereby make application for a permit: (circle one) construct, remodel, relocate, other ______ Building to be used for: _____ end on _____end on _____ Street address: ______ Zoned: _______

Distance from property lines: North ______ft. South ______ft. East _____ft. West _____ft.

Dimensions of building: Length ft Wildel LOCATION: Length _____ft. Width ____ft. Height of walls _____ft. Dimensions of building: Number of stories: _____ Total square footage: _____ Materials: Monolithic Slab _____ Footing & Block _____ Foundation: Concrete ____ Wood __ Exterior Walls: Brick _____ Masonry _____ Wood ____ Metal ____ Siding _____ Interior Walls: Sheetrock _____ Paneling _____ Built-up _____ Wood Shake _____ Comp. Shingles _____ Metal ____ Roof: Contractor: (Name, Address, Phone) General Contractor ______ State License# _____ Electrician/Number _____ State License# _____ Plumber/Number ______State License# _____ State License# HVAC/Number Total cumulative & Fair market value to complete, not including site: \$ agree to erect said building according to the plans and If permit is granted, I, __ specifications presented and to complete all work in accordance with the International Building Code, Arkansas Energy Code and any/all codes in force by the State of Arkansas and City of Ozark. I have or will call 811 for a locate of underground structures prior to any work being started. All construction will adhere to ordinance 2010-6 regarding setbacks and zoning regulations. Signature: For Owner: Permit Approval: Date/Time: Remarks: Permit Fee \$ _____ Collected \$ ____ Receipt No. ____ Date: ____ State \$ _____ * The state of Arkansas requires an additional \$.50 per \$1,000.00 for non-residential buildings. *

CITY OF OZARK BUILDING/CONSTRUCTION PERMIT APPLICATION 2910 W. COMMERCIAL ST, OZARK, AR 72949 (479) 667-2233

Date of Application _____ l, _______ (address) ______ (phone) _____ Hereby make application for a permit: (circle one) Demolition, Driveway, Fence, house Moving, Portable Building/Carport, Re-Roofing, Storm Shelter, Swimming Pool, Other Construction to begin on: _____ end on ____ LOCATION: Street address: _____ Zoned: _____ Contractor: (Name, Address, Phone) ______ State License# _____ State License# If permit is granted, I, ______, agree to erect said building according to the plans and specifications presented and to complete all work in accordance with the International Building Code, Arkansas Energy Code and any/all codes in force by the State of Arkansas and City of Ozark. I have or will call 811 for a locate of underground structures prior to any work being started. All construction will adhere to ordinance 2010-6 regarding setbacks and zoning regulations. Signature: For Owner: Permit Approval: Date/Time: Remarks:

Permit Fee \$ _____ Collected \$ ____ Receipt No. ____ Date: ____

COMMERCIAL BUILDING FEE	275.50	281.50	284.50	287.50	290.50	293.50	296.50	202.50	302.30	308.50	344.50	344.50	314.30	317.30	320.50	323.50	326.50	329.50	\$ 332.50	\$ 335.50	338.50	34150	244.50	344.30	\$ 347.50	\$ 350.50	\$ 353.50	\$ 356.50	359.50	362.50	365.50	303.30	\$ 308.30	\$ 371.50	\$ 374.50	\$ 377.50	380.50	383.50	286.50	300.50	389.30	392.50	\$ 395.50	\$ 398.50	\$ 401.50	\$ 404.50	\$ 407.50	\$ 557.50	207 50	& 857.50	4 007.50	1,001.30	00.761,1 \$	00.706,1	\$ 1,457.5U	\$ 1,607.50	\$ 1,757.50						
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STATE	BLDG FEE FEE BUILDING	\$ 5.00 \$ 0.05 \$	\$ 0.50 \$ 0.50	16.50 \$ 1.00 \$	\$ 21.00 \$ 1.50 \$	\$ 25.50 \$ 2.00 \$	\$ 30.00 \$ 2.50 \$	\$ 34.50 \$ 3.00 \$	\$ 39.00 \$ 3.50 \$	\$ 43.50 \$ 4.00 \$	\$ 48.00 \$ 4.50 \$	\$ 52.50 \$ 5.00 \$	\$ 57.00 \$ 5.50	\$ 61.50 \$ 6.00	\$ 66.00 \$ 6.50	\$ 70.50 \$ 7.00 \$	\$ 75.00 \$ 7.50 \$	\$ 79.50 \$ 8.00 \$	\$ 84.00 \$ 8.50 \$	\$ 00.6	00:00 + 00:00	9 6	\$ 97.50 \$ 10.00	\$ 102.00 \$ 10.50 \$	\$ 106.50 \$ 11.00 \$	41100 \$ 11.50 \$	9 145 FO \$ 12.00 \$	10.00	\$ 120.00 \$ 12.00 \$	\$ 124.50 \$ 15.00	\$ 129.00 \$ 13.30 \$	\$ 133.50 \$ 14.00 \$	\$ 138.00 \$ 14.50 \$	\$ 142.50 \$ 15.00 \$	\$ 147 00 \$ 15.50 \$	4 16 10 6 16 10 85 10 10 10 10 10 10 10 10 10 10 10 10 10	32,000.00 \$ 191.90 \$ 16.50	33,000.00 \$ 156.00 \$ 125.00	34,000.00 \$ 160.50 \$ 17.00 \$	35,000.00 \$ 165.00 \$ 17.50 \$	36,000,00 \$ 169.50 \$ 18.00 \$	\$ 174.00 \$ 18.50 \$. 178 50 S 19.00 \$	4 CCCC 4 10 50 CC 4	4 103.00 & 20.00 &	40,000.00	41,000.00 \$ 192.00 \$ 20.35	42,000.00 \$ 196.50 \$ 21.00	201.00 \$ 21.30 \$	\$ 205.50 \$ 22.00 \$	\$ 210.00 \$ 22.50	\$ 214.50 \$ 23.00	\$ 219.00 \$ 23.50 \$	\$ 223.50 \$ 24.00 \$	Ag 000 00 \$ 24.50 \$	#3,000.00 € 23.50 \$ 25.00 \$	* 225.30 * 25.50 *	\$ 23.00 \$ 50.00 \$	23/.50 \$ 20.00	240.00	54,000.00 \$ 242.50 \$ 27.00 \$	245.00 \$ 27.50	
STATE	FEE BUILDING	\$ 5.00 \$ 0.05 \$	500.00 \$ 6.50 \$ 0.50	* 16.50 \$ 1.00 \$	\$ 21.00 \$ 1.50 \$	\$ 25.50 \$ 2.00 \$	\$ 30.00 \$ 2.50 \$	\$ 34.50 \$ 3.00 \$	\$ 39.00 \$ 3.50 \$	\$ 43.50 \$ 4.00 \$	\$ 48.00 \$ 4.50 \$	\$ 52.50 \$ 5.00 \$	\$ 57.00 \$ 5.50	\$ 61.50 \$ 6.00	\$ 66.00 \$ 6.50	\$ 70.50 \$ 7.00 \$	\$ 75.00 \$ 7.50 \$	\$ 8.00 \$ 8.00	\$ 84.00 \$ 8.50 \$	\$ 00.6	₩ 00.00 ₩	\$ 93.00 ¢ 93.00 \$	\$ 97.50 \$ 10.00	\$ 102.00 \$ 10.50 \$	\$ 106.50 \$ 11.00 \$	41100 \$ 11.50 \$	9 145 FO \$ 12.00 \$	10.00	25,000.00	\$ 124.50 \$ 15.00	\$ 129.00 \$ 13.50 \$	\$ 133.50 \$ 14.00 \$	\$ 138.00 \$ 14.50 \$	\$ 142.50 \$ 15.00 \$	\$ 147 00 \$ 15.50 \$	4 1600 A 1600 B	32,000.00 \$ 191.90 \$ 16.50	\$ 156.00 & 10.30 4 4 70	\$ 160.50 \$ 17.00 \$	\$ 165.00 \$ 17.50	36,000,00 \$ 169.50 \$ 18.00 \$	\$ 174.00 \$ 18.50 \$. 178 50 S 19.00 \$		4 103.00 & 20.00 B	40,000.00	41,000.00 \$ 192.00 \$ 20.35	196.50 a 21.00	\$ 201.00 \$ 21.50 \$	\$ 205.50 \$ 22.00 \$	\$ 210.00 \$ 22.50	\$ 214.50 \$ 23.00	\$ 219.00 \$ 23.50 \$	48 000 00 \$ 223.50 \$ 24.00 \$	49 000 00 \$ 24.50 \$	#3,000.00 € 23.50 \$ 25.00 \$	\$ 225.30 \$ 25.50 \$	\$ 23.00 \$ 50.00 \$	\$ 23/.50 \$ 00.02 \$	\$ 240.00 \$ 26.50 \$	54,000.00 \$ 242.50 \$ 27.00 \$	55,000.00 \$ 245.00 \$ 27.50 \$	
STATE	BLDG FEE FEE BUILDING	\$ 100.00 \$ 5.00 \$ 0.05 \$	\$ 500.00 \$ 0.50 \$ 0.50 \$. \$ 1,000.00 \$ 15.00 \$ 1.00 \$	\$ 21.00 \$ 1.50 \$	\$ 4,000.00 \$ 25.50 \$ 2.00 \$	- \$ 5,000.00 \$ 30.00 \$ 2.50 \$	- \$ 6,000.00 \$ 34.50 \$ 3.00 \$	\$ 7,000.00 \$ 39.00 \$ 3.50 \$	- \$ 8,000.00 \$ 43.50 \$ 4.00 \$ - \$ 8,000.00 \$ 4.00 \$	- \$ 9,000.00 \$ 48.00 \$ -	- \$ 10,000.00 \$ 52.50 \$ 5.00 \$ -	- \$ 11,000.00 \$ 57.00 \$ 5.50 \$	\$ 12,000.00 \$ 61.50 \$ 6.00 \$	\$ 13,000.00 \$ 66.00 \$ 6.50 \$	\$ 14,000,00 \$ 70.50 \$ 7.00 \$	\$ 75.00 \$ 7.50 \$	\$ 16,000.00 \$ 79.50 \$ 8.00 \$	8.50 \$ 8.50 \$	16,001.00 - \$ 17,000.00 \$ 03.00 \$	17,001.00 - \$ 18,000.00 \$ 00.00 \$ 0.50 \$ 1	18.001.00 - \$ 19,000.00 \$ 93.00 \$ -3.30	19,001.00 - \$ 20,000.00 \$ 97.50 \$ 10.00 \$	20,001.00 \$ 102.00 \$ 10.50 \$	20,001.00 \$ 106.50 \$ 11.00 \$ 1	21,001.00 - \$ 22,000.00 \$ 1150 \$	23,000.00 \$ 111.50 \$ 12.00 \$	23,001.00 - \$ 24,000.00 \$ 113.00 \$ 12.50 \$	24,001.00 \$ 25,000.00 \$ 120.00 \$ 12.00	25,001.00 - \$ 26,000.00 \$ 124.50 \$ 13.00	26,001.00 - \$ 27,000.00 \$ 129.00 \$ 15.50	27 001 00 - \$ 28,000.00 \$ 133.50 \$ 14.00 \$	28,001,00 \$ 138,00 \$ 14.50 \$	2 5 50000 0 142.50 \$ 15.00 \$ 1	28,001.00 - 4 30,000.00 + 417.00 S 15.50 S	30,001.00 - \$ 31,000.00 \$ 157.50 \$ 16.00 \$	32,000.00 \$ 191.90 \$ 16.50	33,000.00 \$ 156.00 \$ 125.00	34,000.00 \$ 160.50 \$ 17.00 \$	34 001 00 \$ 165.00 \$ 17.50 \$	\$ 36,000,00 \$ 169.50 \$ 18.00 \$	33,001.00 # 37,000 0 8 174.00 \$ 18.50 \$	36,001,00 - 4,51,500,500 + 478.50 \$ 19.00 \$	37,001.00 - \$ 38,000.00 \$ 175.50 \$ 10.50 \$	33,000.00 & 105.00 & 20.00 &	40,000.00	41,000.00 \$ 192.00 \$ 20.35	42,000.00 \$ 196.50 \$ 21.00	42,001.00 - \$ 43,000.00 \$ 201.00 \$ 21.30 \$	- \$ 44,000.00 \$ 205.50 \$ 22.00 \$	44 001.00 - \$ 45,000.00 \$ 210.00 \$	45,001.00 - \$ 46,000.00 \$ 214.50 \$ 23.00 \$	45,001.00 \$ 219.00 \$ 23.50 \$	\$ 48,000.00 \$ 223.50 \$ 24.00 \$	47,001:00 \$ 40,000.00 \$ 24.50 \$	48,001.00 - \$ 48,000.00 & 23.50 \$ 25.00 \$	49,001.00 - \$ 50,000.00 \$ 525.00 \$	\$ 23.00 \$ 50.00 \$	51,001,00 - \$ 52,000.00 \$ 237.50 \$ 22.00	52,001,00 - \$ 53,000.00 \$ 240.00 \$ 26.50 \$	53,001,00 - \$ 54,000.00 \$ 242.50 \$ 27.00 \$	- \$ 55,000.00 \$ 245.00 \$ 27.5U \$	