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Fee Amt: \$20.00 Page 1 of 5
Washington County, AR
Bette Stamps Circuit Clerk

File **2005-00014471**

ORDINANCE NO. 205-4-214

AN ORDINANCE FOR THE CITY OF TONTITOWN, ARKANSAS; ADOPTING THE 2003 EDITION OF THE INTERNATIONAL BUILDING CODE AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, an ordinance of the City of Tontitown, Arkansas, adopting the 2003 edition of the International Building Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Tontitown, Arkansas; providing for the issuance of permits and collection of fees therefore; amending Ordinance No. 161 of the City of Tontitown, Arkansas and all other ordinances and parts of the ordinances in conflict therewith.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS, AS FOLLOWS:

Section 1: That a certain document, three (3) copies of which are on file in the office of the Recorder / Treasurer of the City of Tontitown, Arkansas, being marked and designates as the International Building Code, 2003 edition, including all Appendix Chapters, (see International Building Code Section 101.2.1, 2003 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Tontitown, in the State of Arkansas, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fee therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Tontitown, Arkansas, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any.

Section 2: That Ordinance No.161 of the City of Tontitown entitled "AN ORDINANCE TO ADOPT VARIOUS STANDARD CODES RELATING TO INSPECTION ACTIVITIES OF THE CITY OF Tontitown, WASHINGTON COUNTY,

ARKANSAS AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; AND FOR OTHER PURPOSES.” and all other ordinances or parts of ordinances in conflict herewith are hereby amended.

Section 3: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Tontitown, Arkansas, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4: That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby amended, as cited, in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.


Section 5: That the City of Tontitown’s Recorder / Treasurer is hereby ordered and directed to cause this ordinance to be published.

Section 6: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

NOW, THEREFORE, an emergency is declared to exist and immediate effectiveness of this Ordinance is necessary for the preservation of public peace, health, and safety. This Ordinance shall take effect and be in full force form and after its passage and approval.

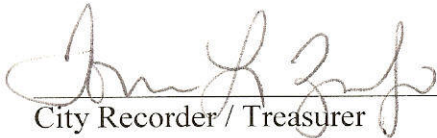
PASSED AND APPROVED this 5th day of April, 2005.

APPROVED:



Paul Maestri,
Mayor

ATTEST:



City Recorder / Treasurer



Sponsored by:

ROLL CALL:

Shall the Ordinance pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	_____	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	<u>✓</u>	_____	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	<u>✓</u>	_____	<i>(Ward 1, Position 2)</i>
Alderman Kevin Riggins	<u>✓</u>	_____	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	<u>✓</u>	_____	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	<u>✓</u>	_____	<i>(Ward 3, Position 1)</i>
Mayor Paul Maestri	_____	_____	

Yeas: 6 **Nays:** 0 *(total)*

ROLL CALL:

Shall the Emergency Clause pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	<u> </u>	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	<u>✓</u>	<u> </u>	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	<u>✓</u>	<u> </u>	<i>(Ward 1, Position 2)</i>
Alderman Kevin Riggins	<u>✓</u>	<u> </u>	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	<u>✓</u>	<u> </u>	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	<u>✓</u>	<u> </u>	<i>(Ward 3, Position 1)</i>

Yeas: 6 **Nays:** 5 *(total)*