

ORDINANCE NO. 2006-04-256

**AN ORDINANCE CREATING THE POSITION OF FIRE MARSHAL FOR THE CITY OF TONTITOWN; SETTING THE SALARY OF THE CITY OF TONTITOWN FIRE MARSHAL; AND TO DECLARE AN EMERGENCY.**

**WHEREAS**, the City of Tontitown is empowered by Arkansas Code Annotated 14-55-102 to adopt ordinances to provide for the safety, health, comfort, and convenience of the inhabitants of the city; and

**WHEREAS**, the City of Tontitown is empowered by Arkansas Code Annotated 14-55-207 to adopt technical codes by reference; and

**WHEREAS**, the City of Tontitown by Ordinance No. 98 of 1994 has adopted various standard building and technical codes (the codes); and

**WHEREAS**, the City of Tontitown, by Ordinance No. 256 of 2005, has adopted the 2003 Edition of the International Building Code; and

**WHEREAS**, Section 102 of the codes adopted by Ordinance 98 of 1994 empowers the governing authority of the City of Tontitown to appoint a Fire Marshal to enforce the provisions of the codes and to render interpretations of the codes which are consistent with the spirit and purpose of the codes.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TONTITOWN, ARKANSAS, THAT:**

**Section 1:** A position is created of Fire Marshal for the City of Tontitown.

**Section 2:** The salary for the Fire Marshal is set as defined in the annual budget as approved by the City Council and will be subject to the same periodic raises as all other city employees.

**Section 3:** The Fire Marshal shall perform the duties and carry out the responsibilities as defined by the codes adopted by Ordinance No. 98 of 1994, Arkansas Code Annotated 14-53-112 as amended and or as set forth by the City Council.

**Section 4:** If any provisions of this Ordinance or the application thereof are held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and to this end, the provisions of the Ordinance are declared to be severable.


**Section 5:** The proper building and inspection of structures as well as the detection and prevention of arson; the enforcement of laws and Ordinances relating to arson an other burning and enforcement thereof, in the City of Tontitown is of great importance to its residents and the health and safety of its citizens, this Ordinance being necessary for the immediate protection of the public health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 4th day of April, 2006.

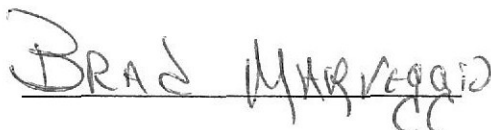
APPROVED:

  
Mayor

ATTEST:

  
City Recorder / Treasurer

Sponsored by:

  
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**ROLL CALL:**

**Shall the Ordinance pass:**

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

**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 Bradley Marveggio	<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>
Mayor	<u>      </u>	<u>      </u>	

Yeas: 6      Nays: 0 (total)