

TITLE 11

BUILDINGS AND CONSTRUCTION

Chapters:

- 11.04 Building Code
- 11.08 Plumbing Code
- 11.12 Electrical Code
- 11.16 Fire Prevention Code
- 11.20 Building Permits
- 11.28 Additional Building Regulations
- 11.32 Separated Multi-tenant Buildings

CHAPTER 11.04

BUILDING CODE

Sections:

- 11.04.01 Adoption of Building Code
- 11.04.02 Applicability
- 11.04.03 Waiver
- 11.04.04 Amendment, alteration or repeal
- 11.04.05 Penalties

11.04.01 Adoption of Building Code That certain Building Codes known as the Arkansas Fire Prevention Code, 2007 Edition, Volume 1, Fire, Based on the 2006 International Fire Code, APPENDIX B, C, D, E, F, And G, or most current edition, Arkansas Fire Prevention code, 2007 Edition, Volume II, Building, Based on the 2006 International Building Code, or most current edition, Arkansas Fire Prevention Code, 2007 Edition, Volume III, Residential, Based on the 2006 International Residential Code, or most current edition, the Life Safety Code 101- 2003 Edition, or most current edition, the American National Standard – Accessible and Usable Buildings and Facilities – 2003, Arkansas Energy Code 2004 Supplement to 2003 International Energy Conservation Code, or most current edition are made a part of this ordinance by reference and shall extend over and govern the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of all buildings and structures within the City of Centerton, Arkansas. (Ord. No. 2009-09, Sec. 1.)

11.04.02 Applicability The provisions of these codes and ordinance shall be applicable to any buildings in the city of Centerton, except those previously constructed, without a specific act of the City Council of the city of Centerton, Arkansas. (Ord. No. 2005-39, Sec. 2.)

11.04.03 Waiver The City Council may, for just cause, specifically waive certain requirements of this codes and ordinance after specific study, especially in those cases wherein

code requirements could create undue or unfair hardships. (Ord. No. 2005-39, Sec. 3.)

11.04.04 Amendment, alteration or repeal The City Council of the city of Centerton shall have the right to change, modify and repeal any part of this ordinance and codes in accordance with the laws of the state of Arkansas. (Ord. No. 2005-39, Sec. 4.)

11.04.05 Penalties Any person, firm, or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine not greater than the sum of Five Hundred Dollars (\$500.00) for any one specified offense or violation of such ordinance, or double that sum for each repetition of such offense or violation. If the thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof in violation of this ordinance, shall not exceed Two Hundred Fifty Dollars (\$250.00) for each day that the same may be unlawfully continued. (Ord. No. 2005-39, Sec. 5.)

CHAPTER 11.08

PLUMBING CODE

Sections:

11.08.01	Definitions
11.08.02	Plumbing Code
11.08.03	Cross-connections; backflow
11.08.04	applicability
11.08.05	Waiver
11.08.06	Amendment, alteration or repeal
11.08.07	Penalties

11.08.01 Definitions Plumbing for the purposes of this chapter is hereby defined as the definitions of Act 200 of 1951 as amended, and the Arkansas State Plumbing Code – 2006 Edition, or most current edition, and the Arkansas Fuel Gas Code 2006 Edition, or most current edition. (Ord. No. 2009-10, Sec. 1.)

11.08.02 Plumbing Code That certain Plumbing Code known as the Arkansas Plumbing code -2006 Edition, or most current edition, Arkansas Fuel Gas Code - 2006 Edition, or most current edition is made a part of this ordinance by reference and shall extend over and govern the construction, alteration, removal and maintenance of plumbing and apparatus within the City of Centerton, Arkansas. (Ord. No. 2009-10, Sec. 2.)

11.08.03 Cross-connections; backflow

- A. The city of Centerton, acting through the city of Centerton Inspection Division, is hereby authorized to discontinue or cause to be discontinued all water service or services to any and all premises, lands, buildings, or structures where it is found that an immediate hazard exists to the purity or potability of the city water supply,

by reason of the requirements of the Arkansas Plumbing Code – 2003 Edition, or most current edition, and the regulations of the Arkansas State Board of Health having not been complied with.

- B. The city of Centerton, acting through the city of Centerton Inspection Division, is hereby authorized to take such steps as necessary to determine all potential hazards to the purity or potability of the city water supply. Upon determining said potential hazard, it shall be the duty of the city of Centerton Inspection Division to immediately cause notice to go to the owner, or such other person responsible for said premises, specifying said hazard and notifying said person that in the event said hazards are not corrected within thirty (30) days from the date of said notice all water services shall be discontinued thereafter until the requirements of the Arkansas Plumbing Code – 2003 Edition, or most current edition, and the regulations of the Arkansas State Board of Health have been complied with. (Ord. No. 2005-47, Sec. 3.)

11.08.04 Applicability The provisions of this code and ordinance shall be applicable to any buildings in the city of Centerton presently under construction without a specific act of the City Council of the city of Centerton, Arkansas. (Ord. No. 2005-47, Sec. 4.)

11.08.05 Waiver The City Council may, for just cause, specifically waive certain requirements of this code and ordinance after specific study, especially in those cases wherein code requirements could create undue or unfair hardships. (Ord. No. 2005-47, Sec. 5.)

11.08.06 Amendment, alteration or repeal The City Council of the city of Centerton shall have the right to change, modify and repeal any part of this ordinance and code in accordance with the laws of this state of Arkansas. (Ord. No. 2005-47, Sec. 6.)

11.08.07 Penalties Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine not greater than the sum of Five Hundred Dollars (\$500.00) for any one specified offense or violation of such ordinance, or double that sum for each repetition of such offense or violation. If the thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof in violation of this ordinance, shall not exceed Two Hundred Fifty Dollars (\$250.00) for each day that the same may be unlawfully continued. (Ord. No. 2005-47, Sec. 7.)

CHAPTER 11.12

ELECTRICAL CODE

Sections:

- 11.12.01 Adoption of Electrical Code
- 11.12.02 Applicability
- 11.12.03 Waiver
- 11.12.04 Amendment, alteration or repeal
- 11.12.05 Penalties

11.12.01 Adoption of Electrical Code That certain Electric Code known as NFPA 70: National Electrical Code, NEC 2008, or most current edition, are made a part of this ordinance by reference and shall extend over and govern the construction, alteration, removal and maintenance of electrical wiring and apparatus within the City of Centerton, Arkansas. (Ord. No. 09-11, Sec. 1.)

11.12.02 Applicability The provisions of this code and ordinance shall be applicable to any buildings in the city of Centerton, except those previously constructed, without a specific act of the City Council of the city of Centerton, Arkansas. (Ord. No. 05-41, Sec. 2.)

11.12.03 Waiver The City Council may, for just cause, specifically waive certain requirements of this code and ordinance after specific study, especially in those cases wherein code requirements could create undue or unfair hardships. (Ord. No. 05-41, Sec. 3.)

11.12.04 Amendment, alteration or repeal The City council of the city of Centerton shall have the right to change, modify and repeal any part of this ordinance and code in accordance with the laws of the state of Arkansas. (Ord. No. 05-41, Sec. 4.)

11.12.05 Penalties Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine not greater than the sum of Five Hundred Dollars (\$500.00) for any one specified offense or violation or such ordinance, or double that sum for each repetition of such offense or violation. If the thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof in violation of this ordinance, shall not exceed Two Hundred Fifty Dollars (\$250.00) for each day that the same may be unlawfully continued. (Ord. No. 05-41, Sec. 5.)

CHAPTER 11.16

MECHANICAL CODE

Sections:

11.16.01	Adoption
11.16.02	Building Code
11.16.03	Variances
11.16.04	Inspection
11.16.05	Amendment
11.16.06	Penalties

11.16.01 Adoption The Arkansas Mechanical Code – 2003 Edition, or most current edition, is hereby adopted by reference as the Mechanical Code for the city of Centerton, Arkansas. (Ord. No. 2005-40, Sec. 1.)

11.16.02 Building Code All references to the “International Code Council – 2000 Edition and 2003 Edition,” or most current addition, as adopted by Ord. No. 2005-39 of the ordinances of the city of Centerton, Arkansas, and all amendments thereto. (Ord. No. 2005-40, Sec. 2.)

11.16.03 Variances The City Council may, for just cause, specifically waive certain requirements of this code and ordinance after specific study, especially those causes wherein code requirements could create undue or unfair hardships. (Ord. No. 2005-40, Sec. 4.)

11.16.04 Inspection It shall be the duty of the Building Official to enforce all provisions of the code and this ordinance and to insure compliance with all provisions of the code as herein adopted. In order to carry out the duties and responsibilities of the Building Official, the building Official is hereby granted the authority to enter upon all premises and improvements located thereon within the corporate limits of the city of Centerton, Arkansas. If the Building Official, when performing the duties herein established, determines that any work methods, materials and/or standards do not comply with the provisions of the code and this ordinance or that the persons performing the work do not hold the requisite permits or license, he shall immediately cause notice to be served on the person, firm or corporation performing such work and the owner, developer and/or general contractor to cease any further work in that particular area, or the entire project, if deemed appropriate, until such time as the non-compliance is corrected, as specified in the notice. (Ord. No. 2005-40, Sec. 5.)

11.16.05 Amendment The City Council shall have the right to amend, modify or repeal all or any part of this ordinance and the code in accordance with the laws of the state of Arkansas. (Ord. No. 2005-40, Sec. 6.)

11.16.06 Penalties Violations of the provisions of this ordinance shall be deemed a misdemeanor and any person, firm or corporation, guilty of any such violation 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 during which a violation continues shall constitute a separate offense and the fine for such continuing violation shall be not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00). (Ord. No. 2005-40, Sec. 9.)

CHAPTER 11.20

BUILDING PERMITS

Sections:

11.20.01	Building permits
11.20.02	Application
11.20.03	Fees
11.20.04	Issuance of permits
11.20.05	Building inspection
11.20.06	Penalty

11.20.01 Building permits The owner of any land situated within the incorporated limits of the city of Centerton shall neither construct nor allow construction or placement, on such land, of any building or structure of a type set forth in sub-paragraphs A through C below, without having obtained a building permit from the city of Centerton for such construction. The aforementioned permit will likewise be required in event of remodeling or repair of such structures.

- A. Single family residence and related outbuildings.
- B. Multiple family residence and related outbuildings.
- C. Any building in which, or from which, any business, commercial enterprise, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes. (Ord. No. 94-1, Sec. 1.)

11.20.02 Application The application for any building permit required by this ordinance will be submitted by the landowner concerned to the Planning Commission of Centerton, at City Hall in duplicate copy, and shall contain as a minimum the following:

- A. Name, mailing address, and telephone number of the applicant.
- B. Type building to be constructed or repaired (as listed in Section 1 of this ordinance).

- C. Location of the building site.
- D. Outside dimensions of the proposed building, or addition
- E. Construction materials to be used for the foundation, floor, and exterior walls.
- F. Manner in which the proposed building will be anchored to the foundation.
- G. Height of the first floor level above the ground level, as measured from the highest point of the ground level:
 - 1. Prior to any grading or leveling.
 - 2. After grading and leveling.
- H. Date on which construction is proposed to begin.
(Ord. No. 93-22, Sec. 2.)

11.20.03 Fees

- A. Building permit fee schedule: The city of Centerton determines the valuation of a structure using the ICC (International Code Council) Building Valuation Data Table. The table is updated every six (6) months. Once the valuation is determined the following table is used to calculate permit fees. A copy of the ICC Table can be found at www.iccsafe.org. The current chart will be attached hereto as an appendix and included as a part of this ordinance.

Building Permit Fee Schedule 2009
Building fees

Building Permit Fee Schedule 2009

Building Fees	
\$1,000.00 or less	No fee unless and inspection is required, in which case, the Single Phase of Construction or Miscellaneous Inspection Fee shall apply.
\$1,000.01 to \$50,000.00	\$50.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.
\$50,000.01 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.
\$100,000.01 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

\$500,000.01 and Up	\$1660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.
Education Fee (Commercial Projects)	Valuation Cost x 0.005 =

Miscellaneous Items	Fees		
Demolition	\$100.00	Cleanup Deposit \$500.00	18 Yard Minimum Dumpster on site
Tent / Fireworks, Haunted House, etc.	\$50.00		
House Moving / Manufactured	\$100.00	Cleanup Deposit \$500.00 Proof of Arkansas DOT permit	18 Yard Minimum Dumpster on site
Miscellaneous / Single Phase Const.	\$50.00		
Permit Renewal / Extension	\$50.00		

A cleanup completion deposit is required in the amount of **\$500.00** for Demolition/House Moving. This deposit shall be refunded upon completion of work; whereas no unsanitary, unsightly, trash or health hazard to public exists. If such conditions exist then deposit shall be forfeited and the City can do as deemed necessary by law to insure site is cleaned up.

Permit Box/Card \$15.00 or cost of materials, whichever is greater.

Lost Permit Fee-Cost of card and box \$15.00 or \$7.50 each.

*** All Re-Inspect Fees \$50.00***

Certificate of Occupancy Deposit/Completion Deposit- Shall accompany building permit. Each building permit issued shall be accompanied by a completion deposit equal to 50 percent of the total building permit fee. This deposit shall be refunded upon issuance of a Certificate of Occupancy for the building. If occupancy has taken place prior to Certificate of Occupancy issuance then deposit shall be forfeited.

Electrical Items	Fees
Single Family Residential	
Base Fee	\$50.00
Electric Meter Service	\$5.00
0 - 1500 Sqft	\$60.00
1501 - 2000 Sqft	\$75.00
2001 - 3000 Sqft	\$100.00
3001 or more Sqft	\$125.00

Multi Family Residential	
Base Fee	\$50.00
First Unit	\$50.00
2 -4 Units	\$35.00 per unit
5 or More Units	\$25.00 per unit
Commercial	
Base Fee	\$50.00
\$0.00 to \$10,000.00 x 0.01 =	
\$10,000.01 to \$20,000 x 0.005 =	
\$20,000.01 and Up x 0.0025 =	
Add / Alt / Repair	\$50.00

Mechanical Items	Fees
Base Fee	\$50.00
Valuation Cost x 0.005 =	

Plumbing Items	
Base Fee	\$50.00
Backflow Addition	\$3.00
Bathtubs	\$3.00
Dishwasher	\$3.00
Disposal	\$3.00
Drinking Fountain	\$3.00
Floor Drains	\$3.00
Gas Openings	\$3.00
Grease Trap	\$3.00
Hot Water Heater	\$3.00
Hot Water Heater Vent (Gas)	\$3.00
Lavatories	\$3.00
Showers	\$3.00
Sinks	\$3.00
Urinals / Bidet	\$3.00
Washing Machine	\$3.00
Water Closets	\$3.00
In House Water Piping	\$7.00
In House Drainage Piping	\$7.00
Water Yard Line	\$7.00

Gas Yard Line	\$7.00
Sewer Yard Line	\$7.00
Miscellaneous Not listed	\$3.00

(Ord. No. 2009-6, Sec. 1.)

- B. All building permit fees non-refundable No building permit fee (including Electrical, Mechanical, Plumbing, etc.) shall be refunded by the city once collected regardless of whether or not construction has taken place.
- C. Applicability The provisions of this code and ordinance shall be applicable to any buildings in the city of Centerton presently under construction without a specific act of the City Council of the city of Centerton, Arkansas.
- D. Waiver The City Council may, for just cause, specifically waive certain requirements of this code and ordinance after specific study, especially in those cases wherein code requirements could create undue or unfair hardships.

11.20.04 Issuance of permits The Chief Building Official, or his designee, shall review and approve or disapprove plans. In all cases, the permit shall be granted unless found to be in violation of any flood zone ordinance or other ordinance heretofore or hereinafter adopted by the city. Any building permit issued will remain valid only for a period of one hundred eighty (180) days from the date of its issuance. (Ord. No. 2008-7, Sec. 1.)

11.20.05 Building inspection

- A. The Building Inspector will require a twenty-four (24) hour advance notice of inspection to be made, and in some instances, forty-eight (48) hours during times of increased construction. (Ord. No. 2008-7, Sec. 2.)
- B. Required inspection is as follows:
 1. Footings: to be made after trenches are excavated, forms erected and reinforcement steel is in place.
 2. Slabs: for the structures on slabs, inspections will be as follows: under-slab plumbing inspected. Slab inspection will be conducted when termite treatment is complete and reinforcement wire and visqueen are in place. Visqueen and wire is to be lapped at the joints at least six (6) inches.
 3. Framing: framing inspection will be done when framing is complete, electrical rough-in is complete, plumbing top out is complete and heat and air system is installed. (Just prior to installation). Do not insulate until these inspections have been made and approved.

4. Yard lines: when trenches are excavated and underground utilities, such as water, sewer, gas, electricity, etc. are in place. Do not cover until inspection is conducted.
5. Final: to be done when building is complete prior to occupancy. Building is not to be occupied until final inspection is completed. (Ord. No. 93-22, Sec. 5.)

11.20.06 Penalty Where construction, which a permit is required by this ordinance, is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fees shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein. (Ord. No. 93-22, Sec. 6.)

CHAPTER 11.28

ADDITIONAL BUILDING REGULATIONS

Sections:

- | | |
|----------|---------------------------------|
| 11.28.01 | Additional Building Code |
| 11.28.02 | Applicability |
| 11.28.03 | Waiver |
| 11.28.04 | Amendment, alteration or repeal |
| 11.28.05 | Penalties |

11.28.01 Additional Building Code That certain additional standards are deemed necessary relating to construction and maintenance of buildings within the corporate limits of the city of Centerton.

- A. **Carbon Monoxide Detectors** Carbon monoxide detectors shall be located and installed in all residential buildings, on every floor level, per manufacturer installation instructions and approval from city of Centerton Inspection Division. Carbon monoxide detectors shall also be located and installed in commercial facilities where deemed necessary by the Inspection Division of the city of Centerton.
- B. **Slabs/Crawlspaces** "Slabs/Crawlspaces," shall refer to foundation/floor that a structure will rest upon. All slabs shall have vapor barrier and wire mesh installed and approved by the city of Centerton Inspection Division. All slabs/crawlspaces finished floor level shall be eight inches (8") above the finished grade level, twelve inches (12") above curb level where applicable, regardless of exterior veneer. All slabs/crawlspaces shall be approved by the city of Centerton Inspection Division. An exception to this section shall apply in flood zones in which case all levels shall be approved by the city of Centerton Inspection

Division.

- A. Dryer Vents All dryer vents shall be installed above slab/crawlspace through wall or through the roof of the structure meeting ICC requirements and approved by the city of Centerton Inspection Division. Absolutely no PVC piping shall be connected nor used for a dryer vent or allowed under the slab/crawlspace for dryer vent. All dryer vents shall be installed according to manufacturers installation instructions and approved by the city of Centerton Inspection Division.

- B. Address Posted All owners, contractors, and developers of lots or other real property within the city limits of the city of Centerton shall have a city- approved 911 emergency address sign visible from the street, posted at the job site until structure walls have been completed and then the sign will be posted on said structure. Sign must be posted before any utility services will be connected including, but not limited to; gas, electric, water, sewer, phone and cable service. (Ord. No. 2010-21, Section 1)

11.28.02 Applicability The provisions of these codes and ordinance shall be applicable to any buildings in the city of Centerton, except those previously constructed, without a specific act of the City Council of the city of Centerton, Arkansas. (Ord. No. 2005-37, Sec. 2.)

11.28.03 Waiver The City Council may, for just cause, specifically waive certain requirements of this code and ordinance after specific study, especially in those cases wherein code requirements could create undue or unfair hardships. (Ord. No. 2005-37, Sec. 3.)

11.28.04 Amendment, alteration or repeal The City Council of the city of Centerton shall have the right to change, modify and repeal any part of this ordinance and code in accordance with the laws of the state of Arkansas. (Ord. No. 2005-37, Sec. 4.)

11.28.05 Penalties Any person, firm, or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine not greater than the sum of Five Hundred Dollars (\$500.00) for any one specified offense or violation of such ordinance, or double that sum for each repetition of such offense or violation. If the thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof in violation of this ordinance, shall not exceed Two Hundred Fifty Dollars (\$250.00) for each day that the same may be unlawfully continued. (Ord. No. 2005-37, Sec. 5.)

CHAPTER 11.32

Separated Multi-tenant Buildings

- 11.32.01 Purpose and Intent
- 11.32.02 Definitions
- 11.32.03 General Requirements

11.32.01 Purpose and Intent

It is the purpose of this section to provide a minimum level of separation for separated multi-tenant buildings that are not equipped throughout with an approved automatic fire sprinkler system.

This section is intended to apply to new construction. Existing buildings will be reviewed by the authority having jurisdiction on a case by case basis.

It is not the intent of this section to reduce or take away from any other requirements of the Arkansas Fire Prevention Code volumes I and II.

11.32.02 Definitions

Demising wall- Boundary that separates one tenant's space from the other.

Fire Barrier- A fire-resistance-rated wall assembly of materials designed to restrict the spread of fire in which continuity is maintained.

11.32.03 General Requirements

All demising walls in new separated multi-tenant buildings henceforth are required to have as a minimum a UL listed 2-hour fire barrier.

Demising walls in existing separated multi-tenant buildings being remodeled/renovated will be evaluated by the authority having jurisdiction to determine the fire-resistance rating required.