

ORDINANCE NO. 2019-4

AN ORDINANCE REQUIRING BUILDERS OF RESIDENTIAL AND COMMERCIAL BUILDINGS AND RESIDENTIAL AND COMMERCIAL ADDITIONS TO PROVIDE NECESSARY PAPERWORK AND PLANS TO THE POTTSVILLE PLANNING AND ZONING COMMITTEE, POTTSVILLE FIRE MARSHALL OR FIRE CHIEF, AND CODE ENFORCEMENT REPRESENTATIVE FOR BUILDING PROJECTS OCCURRING WITHIN THE POTTSVILLE CITY LIMITS BEFORE A BUILDING PERMIT WILL BE ISSUED, AND REVOKING ORDINANCE NO. 06-7

WHEREAS, the City of Pottsville is currently without adequate requirements for those residents and/or businesses who are engaging in new building projects or add-on projects within the city limits to provide plans of the project to the Planning and Zoning Commission, the Pottsville Fire Marshall or Fire Chief, and any code enforcement representative hired by the City of Pottsville; and,

WHEREAS, the City Council has determined that it is in the best interest of the city to require all persons, partnerships, associations, companies and corporations to adequately inform the Planning and Zoning Commission, Pottsville Fire Marshall or Fire Chief, and any code enforcement representative with a comprehensive set of plans for any residential or commercial building project they intend to build within the city limits of the City of Pottsville before a building permit is issued; and,

WHEREAS, the City Council has determined that it is in the best interest of the city to require all persons, partnerships, associations, companies and corporations to complete the Application for Commercial Building Permit or Application for Residential Building Permit, whichever is applicable, and submit that to the Planning and Zoning Commission for consideration; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens of the city to require all residential and commercial building permit applicants to review and all applications must comply with all applicable provisions of the Electrical Code, Plumbing Code, Mechanical Code, Arkansas Architectural Act, National Life Safety Code, and Arkansas Fire Prevention Code adopted by the City Council and on file at City Hall for review and copying.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POTTSVILLE, ARKANSAS:

SECTION 1. Whenever any person, partnership, association, company, or corporation hereinafter referred to as "person" shall engage or hire anyone to engage in a residential or commercial building project or add-on project, that person shall comply with the following requirements:

(a) All persons, partnerships, associations, companies and corporations shall complete the Application for Commercial Building Permit or Application for Residential Building Permit, whichever is applicable, and submit that application for a building permit to the Planning and Zoning Commission for consideration. A copy of the Application for Commercial Building Permit and Application for Residential Building Permit are attached hereto and shall be kept on file with the City Clerk.

(b) All persons, partnerships, associations, companies and corporations engaged in a commercial or residential building project or add-on project and who is seeking approval of a building permit through the Planning and Zoning Commission must provide a copy of the building permit application, any accompanying documents, and a comprehensive set of plans from the project architect or project engineer to the Pottsville Planning and Zoning Commission, Pottsville Fire Chief or Fire Marshall, and any local code enforcement representative.

(c) The comprehensive plans set forth in Section 1(b), above, must adequately and completely set out building dimensions; proposed plumbing and electrical systems; heat and air systems; proposed capacity gas lines; and, fire hydrants. This is not an exhaustive list. These specifications must be received by the Planning and Zoning Commission, Pottsville Fire Chief or Fire Marshall, and any local code enforcement representative, no later than two weeks before the Planning and Zoning Commission meetings. Bringing the above documentation to City Hall two weeks before the Planning and Zoning Commission meeting DOES NOT comply with this Ordinance. The person seeking approval of a building permit application must provide the above information to Planning and Zoning Commission, Pottsville Fire Chief or Fire Marshall, and any local code enforcement representative.

(d) Further, all residential and commercial building permit applicants must review and all comprehensive plans set forth in 1(b), above, must comply with all applicable provisions of the Electrical Code, Plumbing Code, Mechanical Code, Arkansas Architectural Act, National Life Safety Code, and Arkansas Fire Prevention Code adopted by the City Council and on file at City Hall for review and copying.

SECTION 2. The purpose of requiring this Ordinance is to allow the Planning and Zoning Commission, Pottsville Fire Chief or Fire Marshall, and any local code enforcement representative the opportunity to adequately review all plans and to intelligently discuss the proposed plan at the Planning and Zoning Commission meeting before a building permit is issued.

SECTION 3. If the Planning and Zoning Commission decides that the person submitting the building permit application and accompanying documentation has not adequately set out the plans of the proposed building project or add-on projection per this Ordinance, or is not in compliance with any other Ordinance relating to the residential or commercial building project in the city limits, the Planning and Zoning Commission may continue the meeting until the builder adequately provides a comprehensive set of plans two weeks prior to any future Planning and Zoning Commission meeting to those previously set out in this Ordinance.

SECTION 4. All prior ordinances or resolutions in conflict herewith are revoked; and, specifically Ordinance No. 06-7 is revoked and replaced by this Ordinance.

SECTION 5. EMERGENCY CLAUSE. This ordinance being necessary for the health, safety and welfare of the citizens of Pottsville, Arkansas, based upon the reasons stated above, an emergency is declared to exist, and this Ordinance shall take effect and be enforced from and after its passage, approval and publication as required by law.

Passed and Approved this 28th day of October 2019.

Randy Tankersley, Mayor

ATTEST:

I, Holly Fowler, City Clerk of the City of Pottsville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No 2019-4 passed by the City Council of the City of Pottsville, Pope County, Arkansas, on the 28th day of October 2019.

Holly Fowler, City Clerk

