

Prepared by:
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ORDINANCE NO. ZO-2020-1

AN ORDINANCE AMENDING ARTICLE IX OF THE CITY OF POTTSVILLE ZONING CODE

WHEREAS, the Pottsville City Council has passed and approved the City of Pottsville Zoning Code pursuant to Ordinance 94-3 on March 26, 2012;

WHEREAS, the Pottsville City Council finds that Article IX the City of Pottsville Zoning Code is in need of amendment.

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

SECTION 1: The Pottsville City Council hereby amends Article IX the City of Pottsville Zoning Code, adopted pursuant to Ordinance 94-3.

SECTION 2: Article IX Section 2 regarding Building Permits is hereby amended to read as follows:

Section 2 **BUILDING PERMITS**

(A) It shall be unlawful to commence the construction, reconstruction, moving demolition or structural alteration of any building until the Building Inspector has issued a building permit for such work. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of these regulations and other applicable building laws, ordinances, or regulations. All applications for residential and commercial building permits shall be accompanied by a plan in duplicate drawn to scale, the size of the building to be erected and its location on the lot, and such other information as may be necessary to provide for the administration of this Zoning Ordinance. All permit fees as required by the City's adopted Building Code shall be paid at the time of application.

(B) If the work described in any building permit has not begun within ninety (90) days after the date of issuance thereof, the building permit shall expire. Upon expiration of the building permit, the Code Enforcement officer or authorized designee shall provide written notice thereof to the building permit applicant.

(C) If the work described in the building permit has not been substantially completed within two (2) years of the date of issuance thereof, the building permit shall expire, unless the building project is a large-scale industrial project. Upon expiration of the building permit, the Code Enforcement officer or authorized designee shall provide written notice thereof to the building permit applicant, together with the notice that further work as described in the canceled permit shall not proceed unless a new building permit has been obtained. Building permits for large-scale industrial projects shall expire within 2 years of the date of issuance thereof, unless work has been substantially completed. Additionally, each recipient of a building permit may, prior to the expiration date thereof, request an extension of the building permit by making a request in writing to the Planning Commission.


SECTION 2: Repealing Clause.

(A) Any and all prior resolutions, ordinances, or parts of the same, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: If any provision of this ordinance or the application thereof to any person or circumstances is declared to be invalid, such invalidity shall not affect the other provisions or applications of the ordinance which may be given effect without the invalid provision(s) or application(s), and to this end the provisions of this ordinance are declared severable.

SECTION 4: EMERGENCY CLAUSE: This Ordinance is necessary for the preservation of the public peace, safety and welfare of the citizens of Pottsville, Arkansas. Therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect upon its passage.

PASSED AND APPROVED THIS 26th day of October 2020.



RANDY TANKERSLEY, MAYOR

ATTEST:

I, Holly Fowler, City Clerk of Pottsville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. ZO-2020-1 passed by the Pottsville City Council on the 26th day of October 2020.



HOLLY FOWLER

