

ORDINANCE NO. 1693

AN ORDINANCE ADOPTING THE ARKANSAS MECHANICAL CODE, AS AMENDED, FOR THE CITY OF EUREKA SPRINGS, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, the City Council has determined that it is in the best interest of the citizens of Eureka Springs, Arkansas, for the City to adopt a Code of Regulations governing the installation of heating and air conditioning systems.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THAT:

Section 11.22.01 Adoption of the Arkansas Mechanical Code. The City of Eureka Springs hereby adopts the Arkansas Mechanical Code, as recommended by the Southern Building Code Congress, being particularly the 1991 Edition or the most current edition thereof, save and except such portions as amended by this Ordinance. These rules and regulations are adopted in an attempt to ensure safe mechanical installations including alterations, repairs, replacements, equipment, appliances, fixtures, fittings, and appurtenances thereto, so as to safeguard life, health, and public welfare.

Section 11.22.02 Enforcement. For the purpose of this Ordinance, the Building Inspector, his or her assistants, or any individual assigned by the Mayor, shall be the "Administrative Authority" authorized to enforce the provisions of the Mechanical Code. This Ordinance shall not apply to all exemptions set out in Act 277 of the Laws of Arkansas, 1991.

Section 11.22.03 Permits and Fees. Before beginning any installation, alteration, repair, or replacement regulated by the Code, an applicant shall apply with the Building Inspector for a permit. Upon approval of the permit application, and prior to issuance of the permit, the Building Inspector shall collect fees in accordance with the following schedule, to-wit:

Permit Fee	\$ 20.00
Rough-in Inspection	5.00
Final Inspection	5.00

Section 11.22.04 Reference and Effective Date. Three (3) copies of this Code have been and are now on file with the office of the City Clerk and/or Building Inspector of the City of Eureka Springs, Arkansas; and the same are hereby adopted and incorporated, as amended, as if set out at length herein. From the date on which this Ordinance shall take effect, the provisions of the aforementioned Code shall be controlling in the construction of all buildings and other structures within the corporate limits of the City of Eureka Springs, Arkansas, except as regulated by other Ordinances of the City of Eureka Springs Municipal Code.

Section 11.22.05 Penalties. Arkansas State law (A.C.A. 15-55-102) empowers municipal corporations to adopt ordinances to provide for the safety, health, comfort, and convenience of inhabitants of the City. Violations of the Mechanical Code shall be considered a violation of this Ordinance and shall be punishable as a misdemeanor offense. Violation of any of the Mechanical Code adopted as a result of this Ordinance or other provisions of this Ordinance shall be punishable by a fine up to \$250.00. Each day that said violation continues shall be a separate offense, and each day subsequent to the first day of the violation shall be punishable by a fine of up to \$250.00 per day.

Section 11.22.06 Repealer Clause. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 11.22.07 Severability Clause. The provisions of the Ordinance are hereby declared to be severable; and if any provisions shall for any reason be illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 9th DAY OF April, 1996.

APPROVED:

Barbara A. O'Harris
Barbara A. O'Harris, Mayor

ATTEST:

Mary Ann Lee
Mary Ann Lee, City Clerk