

CHAPTER 7 BUILDINGS

Sec. 7-1. Standard Building Code -- Adopted.

The Arkansas Fire Prevention Code and the International Building Code are hereby approved and adopted, each as may be adopted by the State of Arkansas and as may be amended from time to time. Three (3) verbatim copies of the Arkansas Fire Prevention Code and the International Building Code herein adopted by reference are, and shall be, on file in the office of the City Clerk and made a part hereof as though fully set forth herein word for word in this Chapter. (*Ord. No. 336, 2-5-52; Ord. No. 419, § 1, 4-7-59; Ord. No. 497, § 1, 7-5-67; Ord. No. 606-8-8-78; Ord. No. 2014-24 §7-1*)

Sec. 7-2. Definitions.

Wherever the word "municipality" is used in said code, it shall be held to mean the City of Searcy. (*Ord. No. 336, § 2, 2-5-52*)

Sec. 7-3. Fire Limits Established.

The fire limits of the City of Searcy are hereby established and made to include that portion of said City, described as follows:

"Beginning at the center of the intersection of North Locust and East Vine Streets; thence west to the center of East Vine and North Gum Streets; thence south to the center of South Gum Street and West Park Avenue; thence east to the center of East Park Avenue and South Main Street; thence south to the right-of-way of the D.K. & S. Ry.; thence east along said right-of-way to center of South Locust Street, and thence north along Locust Street to the place of beginning." (*Ord. No. 336, § 3, 2-5-52; Ord. No. 695, 6-10-86*)

Sec. 7-4. Application for Building Permit; Schedule of Fees.

No building shall be erected, constructed, remodeled or substantially altered unless the owner thereof, or his agent, shall have first made application for and received a building permit and paid all fees for such Building Permit, which such fees shall be fixed, from time to time by resolution of the City Council. No building permit shall be issued by the City's building permit officer until said building permit has been approved by the appropriate representative of the City's Building Permit Office; the Searcy Fire Department and the Searcy Board of Public Utilities except for lots or tracts within a subdivision which have been approved by the Searcy Zoning and Planning Commission. (*Ord. No. 421, §§ 2, 3, 7-7-59; Ord. No. 96-16, § 15, 6-10-96; Ord. No. 97-18, § 1, 6-10-97*)

Sec. 7-5. Annual Renewal of Permits.

Permits issued pursuant to this chapter shall be effective for a period of one (1) year from the date of issue. If construction pursuant to such permit is not complete, a new permit shall be required prior to commencement of any such construction. *(Ord. No. 435, § 1, 2-7-61; Ord. No. 96-16, § 16, 6-10-96)*

Sec. 7-6. Rules and Regulations for Issuance of Permits.

The City Council shall make and adopt rules and regulations governing the issuance of building permits not in conflict with the provisions of this chapter. *(Ord. No. 421, § 4, 7-7-59; Ord. No. 96-16, § 17, 6-10-96)*

Sec. 7-7. Penalty for Violation.

Any person who shall fail to comply with the provisions of this chapter and the building codes adopted hereby shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than one hundred dollars (\$100.00) for each such violation. The imposition of a penalty for any violation hereunder shall not excuse the violation or permit it to continue, and each day that any building or structure continues to exist in violation hereof shall be deemed to be a separate offense. *(Ord. No. 421, § 5, 7-7-59)*

Sec. 7-8. Standard Swimming Pool Code Adopted.

The 1997 Edition of the Standard Swimming Pool Code, is hereby adopted by the City of Searcy and shall apply to construction and/or installation within the City of Searcy. The City Clerk shall maintain three (3) copies of the aforementioned Code on file at the office of the Clerk which shall be available for public inspection. Section 107 (Violations and Penalties) of the Standard Swimming Pool Code are replaced and will be as follows:

Penalties. Any person, firm or corporation, who shall do any act of omission contrary to the requirements of this Ordinance will be required to pay double the amount of the specified fees if no permit request is received by the proper authorities within forty-eight (48) hours after notification. However, if the party fails to file for a permit within forty-eight (48) hours after notification, then a citation will be issued. The party will be charged with an unclassified misdemeanor and upon conviction, shall be fined an amount not to exceed \$1,000.00. *(Ord. No. 94-13, 5-10-94; Ord. No. 2000-17, 6-13-2000; Ord. No. 2002-06, 2-12-2002)*

Sec. 7-9. 1979 Arkansas Rules and Regulations for Energy Efficient Standards for New Building Construction Adopted.

The 1979 Arkansas Rules and Regulations for Energy Efficient Standards for New Building Construction, as adopted by the Arkansas Department of Energy is hereby adopted and shall be applicable in the City of Searcy. Three (3) copies of such rules and regulations shall be maintained for public inspection in the office of the City Clerk. *(Ord. No. 638, 6-9-81)*

Sec. 7-10. Flood Damage Prevention Code Adopted.

There is hereby adopted the Amended and Restated Searcy Flood Damage Prevention Code, dated as of November 12, 1996, three (3) copies of which shall remain on file and made available for public use and inspection at the office of the City Clerk of the City of Searcy. *(Ord. No. 87-06, 3-24-87; Ord. No. 96-28, 11-12-96)*

Sec. 7-11. 100 Year Flood Limit Map Adopted.

The map entitled "Approximate 100 Year Flood Limits for Gin Creek and Gin Creek Tributary #1" be and it is hereby adopted by the City of Searcy, with respect to the land areas described thereon and the Administrator of the Flood Damage Prevention Code for the City of Searcy shall hereafter be entitled to rely upon said Map for purposes of administering the said Code; provided, however, that in the event that the Federal Insurance Administration shall hereafter promulgate a Supplemental Flood Hazard Boundary Map for the land area described upon the map adopted hereby, the Flood Hazard Boundary Map promulgated by the Federal Insurance Administration shall be utilized for all purposes of Administration of the Searcy Flood Damage Prevention Code (See Section 7-10), as amended, without regard to the Supplemental Flood Hazard Boundary Map adopted hereby. The City Clerk is hereby directed to maintain on file in the records of the City of Searcy, Arkansas, three copies of the Map adopted hereby. *(Ord. No. 88-02, 3-8-88)*

Sec. 7-12. Homebuilders Registration Certificate Required.

Applications to the Building Inspector of the City of Searcy for the issuance of a permit for the construction of a dwelling, from one to four units in design, intended principally for residential purposes, shall include a copy of such applicant's Certificate of Registration issued by the Secretary of State of the State of Arkansas pursuant to the provisions of Act 859 of the Acts of Arkansas of 1987, (the same being Arkansas Code Annotated §17-47-101 et seq.) as the same may be amended from time to time, and a statement by such applicant that such Certificate of Registration is in full force and effect. *(Ord No. 89-26, 8-8-89)*

Sec. 7-13. Zoning Code and Map Adopted.

a. **Zoning Code Adopted.** The Zoning Code, as certified to the City Council, by the Searcy Planning Commission, following public hearings held on February 5, 1985, and May 7, 1985, be and it is hereby adopted and approved by this reference thereto.

b. **Zoning Map Adopted.** The Revised Zoning Map, as certified to the City Council by the Searcy Planning Commission on October 2, 1984, be and it is hereby re-adopted and approved by this reference.

c. **Penalties for Non-Compliance with Code.** Any person, firm or corporation who constructs, reconstructs, uses, builds, alters, changes or moves a building or uses land in violation of the provision of the Searcy Zoning Code shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$25.00 nor more than \$100.00 and the Court having jurisdiction, in its discretion, may require that the structure be removed or altered so as to comply with the provisions of the Zoning Code hereby adopted. Each day that such violation is permitted to exist shall constitute a separate offense. Any person who fails to give full and correct information when applying for a permit under the Zoning Code hereby adopted shall be subject to a fine of not less than \$25.00 nor more than \$100.00, and the Court, in its discretion, may require that the violation be corrected to comply with the Zoning Code. Any building permit issued upon an incomplete application, regardless of the intent of the applicant, shall be wholly void, as though said permit had never been issued, and any construction based upon or resulting from such a permit shall be deemed to be construction without a permit. (Ord. No. 528; Ord. No. 680, 11-13-84; Ord. No. 683, 5-14-85) [See also, Sec. 24-47, re: Master Street Plan]

Sec. 7-14. Arkansas Energy Code.

7-14-1. **Adoption of Code.** The Arkansas Energy Code, as adopted by the State of Arkansas and as may be amended from time to time by the State of Arkansas, is adopted by the City of Searcy, Arkansas. Three (3) verbatim copies of the Arkansas Energy Code adopted by reference is, and shall be, on file in the office of the City Clerk and made a part hereof as though fully set forth herein word for word in this Chapter.

7-14-2. **Application of Code.** The Arkansas Energy Code shall apply for new building construction in the City of Searcy commenced after the adoption of such code.

7-14-3. **Enforcement.** The Arkansas Energy Code shall be enforced by the Searcy Inspection Department and as directed by the Mayor.

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