

ORDINANCE NO. 454

AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF PROPERTY, BUILDINGS AND STRUCTURES WITHIN DESIGNATED AREAS OF THE CITY; AND REPEALING ORDINANCES 327, 348 AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS THAT:

Section 1: The International Property Maintenance Code, 2012 Edition, three copies of which have been on file in the office of the City Clerk, are hereby adopted as the property maintenance code of the City of Barling, Arkansas, for regulating and governing the conditions and maintenance of all property, buildings and structures within the City of Barling. The International Property Maintenance Code shall be effective in and applicable to those properties, including structures and buildings located within the City of Barling.

Section 2: The following sections of the International Property Maintenance Code as filed with the City Clerk are hereby amended or supplemented as indicated in the following subsections:

- a. The name "City of Barling, Arkansas" shall be inserted in Section 101.1.
- b. In Section 102.3, the reference to the International Building Code, and the ICC Electrical Code, International Mechanical Code and the International Fuel Gas Code shall be deleted and the terms "Arkansas Fire Prevention Code, Volume I, II and III" shall be inserted in lieu thereof.
- c. In Section 102.3, the reference to the International Zoning Code shall be deleted and the term "Barling Ordinance 440" shall be inserted thereof.
- d. Section 103.5 is deleted.
- e. Section 107.5 is deleted and replaced with Barling Ordinance 393.
- f. Section 111.1. Change "20" to "15".
- g. Section 111.3. Change "20" to "15".
- h. Section 111.5 is deleted.
- i. Section 201.3, delete the terms "International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International

Mechanical Code or the ICC Electrical Code,” and substitutes in lieu thereof, the terms “Arkansas Fire Prevention Code, Volumes I, II & III, Barling Zoning Ordinance 440, Arkansas Plumbing Code, Arkansas Mechanical Code and the National Electrical Code.

- j. In Section 202 of definitions, delete the provided definition for inoperable motor vehicle and insert in lieu thereof the following definition of inoperable or unsightly motor vehicle.

A vehicle which cannot lawfully be driven upon the public streets for reasons including but not limited to being unregistered, wrecked, dismantled, partially dismantled, abandoned, in a state of disrepair or incapable of being moved under its own power is inoperable. One or more of the following items may cause a vehicle to be deemed to be inoperable:

1. Weed and/or grass undergrowth indicates that the vehicle has not been moved.
2. One (1) or more wheels are flat or missing for more than 72 hours.
3. Portions of the vehicle which are needed for its operation or control are missing.
4. Evidence exists that provisions of the code pertaining to zoning or to junk and salvage yards are being violated.
5. Registrations are not current.
6. The engine and/or transmission are missing.
7. Doors, fenders, frames or axles are missing.
8. Windshields and windows are broken or missing.
9. The vehicle cannot be moved under its own power.

- k. Section 302.3 shall be amended to read as follows:  
All private sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- l. Section 302.4 The first sentence shall be amended to read as follows:  
All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches.
- m. Section 302.8 is amended to delete the phrase “inoperative or unlicensed motor vehicle: and substitute, in lieu thereof, the phrase “inoperable or unsightly motor vehicle.”
- n. In Section 304.14, the dates of “1 March to 1 October” shall be inserted in the first sentence.
- o. In Section 304.14 is amended to read. Screens shall not be required where other approved means, such as air curtains or insect repellent fans are employed, or

where the building is equipped with a functioning and approved central heating, ventilating and air conditioning system.

- p. Section 308, rubbish and garbage is deleted, and replaced with the following: Sanitation shall be accomplished as provided in City of Barling Ordinance 429.
- q. Section 401.3, the reference to International Building Code shall be deleted and the term “Arkansas Fire Prevention Code Volumes I, II & III” shall be inserted in lieu thereof.
- r. Section 505.1, the references to the “International Plumbing Code” shall be deleted and the term “Arkansas Plumbing Code” shall be inserted in lieu thereof.
- s. Section 602.2 and Section 602.3, the references to the “International Plumbing Code” shall be deleted and the term “Arkansas Plumbing Code” shall be inserted in lieu thereof.
- t. In Section 602.3, the term “during the period from (date) to (date) is deleted.
- u. In Section 602.4, the term “during the period from (date) to (date) is deleted.
- v. Section 604.2, the reference to the ICC Electrical Code shall be deleted, and the term “National Electrical Code” shall be inserted in lieu thereof.
- w. Section 702.1 and 702.2, the reference to the International Fire Code shall be deleted and the term “Arkansas Fire Prevention Code Volumes I, II & III” shall be inserted in lieu thereof.
- x. Section 702.3, the reference to the International Fire Code shall be deleted and the term “Arkansas Fire Prevention Code Volumes I, II & III” shall be inserted in lieu thereof.
- y. Section 704.1 and 704.2, the reference to the International Fire Code shall be deleted and the term “Arkansas Fire Prevention Code Volumes I, II & III” shall be inserted in lieu thereof.
- z. In Chapter 8, the list of referenced standard codes is deleted and the following list of codes is substituted in lieu thereof:

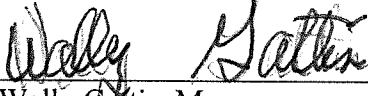
National Electrical Code;  
Arkansas Fire Prevention Code Volumes I, II & III;  
Arkansas Gas Code;  
Arkansas Mechanical Code;  
Arkansas Plumbing Code;  
Barling Zoning Ordinance 440.

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

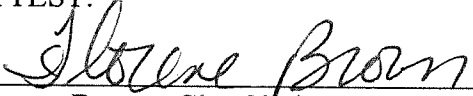
Section 4: If any section, sub-section, sentence, clause or phrase of this Ordinance or any application hereof is for any reason held illegal, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining parts hereof.

Section 5: It being necessary to preserve the City's public health, safety, and welfare, and for the immediate development of the City's infrastructure, an emergency is hereby declared to exist and this Ordinance shall take effect and be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 12th day of MARCH, 2019.

  
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Wally Gattis, Mayor

ATTEST:

  
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Florene Brown, City Clerk

