

ORDINANCE NO. 447

AN ORDINANCE AMENDING ORDINANCE 348 THE 2006 ADDITION 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 DECLARING AN EMERGENCY HEREIN;

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

Section 1: The International Property Maintenance Code, 2006 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 267" shall be inserted thereof.
- d. Section 105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 90 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 90 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- e. Section 103.5 is deleted
- f. Section 110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgement is so old, dilapidated or has become so out of repair as to be dangerous, unsafe,

insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove the such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than 90 days, to demolish and remove such structure.

- 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 substitute in lieu thereof, the terms "Arkansas Fire Prevention Code, Volumes I, II, III, Barling Zoning Ordinance 267, 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 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, exception: is amended the 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 307, rubbish and garbage is deleted, and replaced with the following:
Sanitation shall be accomplished as provided in City of Barling Ordinance 129, Ordinance 279 and Ordinance 346.
- q. Section 401.3, the reference to International Building Code shall be deleted and the term “Arkansas Fire Prevention Code Volume I, II and 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 Volume I” 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 Volume II” 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 Volume I” shall be inserted in lieu thereof.

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 Volume I, II, III
Arkansas Gas Code
Arkansas Mechanical Code
Arkansas Plumbing Code
Barling Zoning Ordinance 267

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: Emergency Clause - The enactment of this Ordinance insures the immediate protection of the health, safety and welfare of the properties and citizens of the City of Barling, Arkansas, such that an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 24th day of July, 2018.


Wally Gattis, Vice Mayor

ATTEST:


Florene Brown, City Clerk

