

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 4 (BUILDINGS AND BUILDING REGULATIONS) OF THE NORTH LITTLE ROCK MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, the City Council of North Little Rock (the “City”) regulates Buildings and Building Regulations through North Little Rock Municipal Code (“NLRMC”) Chapter 4, adopted November 14, 2016 (Ord. No. 8855), as amended by Ordinance Nos. 8902, 8942, 8954 and 8965; and

WHEREAS, in its current form, certain sections of Chapter 4 of the NLRMC contain discrepancies and inconsistencies that may confuse and prove burdensome to Community Planning employees, as well as property owners;

WHEREAS, in order to clarify, improve, and simplify Chapter 4 of the NLRMC, it is necessary that steps be taken to clarify definitions and simplify the permitting process;

WHEREAS, the Community Planning Department has advised that specified corrections and updates need to be made to certain sections of Chapter 4; and

WHEREAS, the City Council has found that the rules established in Chapter 4 of the NLRMC are confusing and may be burdensome to Community Planning employees and property owners, and that it is in the best interests of the City and its residents that this section be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

**Editor’s note:** Deletions are denoted in “**red**” by ~~striketrough~~. Additions are denoted in “**blue**” by underline.

SECTION 1: That Section 1.1.2 of NLRMC Chapter 4 (Definitions) is hereby amended to add a new Section 1.1.2 to read as follows:

**1.1.2 Definitions.**

- (A) Residential. One and two family dwellings, or as provided for in the Arkansas Fire Prevention Code.
- (B) Commercial. All other structures not defined as residential, or as provided for in the Arkansas Fire Prevention Code.
- (C) Residence. The place where a person actually lives and which such person regularly intends to occupy over a substantial period of time. If a person has

- (C) *Exceptions:* No person may be issued a building permit to install, repair, replace or perform any work in the City upon a structure that has been declared to be a public nuisance, unless authorized by City Council.

SECTION 4: That Section 1.1.12 (previously Section 1.1.11) of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**1.1.12 Extension of permits.**

- (A) All permits, unless otherwise noted, issued by the Community Planning Department shall expire one year from the date of issuance. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.
- (B) Demolition of structure permit. A demolition of structure permit shall be valid for 30 days from the date of issuance. All work, including post-demo clearing and complete site clean-up, shall be completed within 30 days.
- (C) Fire Rehab permit. A fire rehab permit shall be valid for 90 days from the date of issuance. All work shall be completed within 90 days, including all required inspections.
- (D) Residential remodel permit. A residential remodel permit shall be valid for 6 months from the date of issuance.

SECTION 5: That Section 1.1.18 (previously Section 1.1.17) of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**1.1.18 Permits for ~~buildings or houses~~ structures condemned by City Council.**

- (A) No permit shall be issued without City Council approval for any structure (~~non-residential or residential~~) that has been condemned by City Council.
- (B) This section does not affect any existing City regulations regarding the need to obtain demolition permits.

SECTION 6: That Section 1.2.4 of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**1.2.4 Minor ~~residential~~ one or two family dwelling repairs made by owner.**

A no charge building permit shall be required for ~~home~~ repairs, when such repairs cost less than \$2,500 and are repaired by the owner of the structure. This provision shall apply to all ~~homes~~ one or two family dwellings regardless of whether or not they are ~~home~~ owner occupied. This provision is not meant to exempt any person from complying with State ~~Law~~ and Federal Laws.

SECTION 7: That Section 1.2.5 of NLRMC Chapter 4 (Buildings and Building Regulations is hereby amended to read as follows:

**1.2.5 Act 474 of 1999 surcharge.**

As required by Act 474 of 1999, a surcharge of \$0.50 per each \$1,000.00 of construction authorized on any ~~non-residential construction~~ commercial permit issued by the City will be imposed, with a maximum surcharge to be \$1,000.00.

SECTION 8: That the title to Section 1.2.6 of NLRMC Chapter 4 (Buildings and Building Regulations is hereby amended to read as follows:

**1.2.6 Commercial ~~and industrial~~ building permit fees.**

SECTION 9: That Section 1.2.10 of NLRMC Chapter 4 (Buildings and Building Regulations is hereby amended to read as follows:

**1.2.10 Heating/Air Mechanical Permit Fees.**

- (A) New construction:  
One- and two-family dwellings, per square foot under roof . \$ 0.10

All other occupancies – As set forth in the cost schedules in subsection (B) below.

- (B) New commercial, replacements, repairs, alterations and additions.

Heating, ventilating, ductwork, air conditioning, boilers, and refrigeration systems shall be \$40.00 for the first \$1,000.00, or fraction thereof, of valuation of the installation plus \$5.00 for each additional \$1,000.00 or fraction thereof. (Boiler permits only issued with proof of special boiler license.)

SECTION 10: The Section 1 title under ARTICLE TWO BUILDING is hereby amended to read as follows:

ARTICLE TWO  
BUILDING  
Section 1

~~SPECIAL PROVISIONS FOR EXTERIOR REPAIRS~~  
IN GENERAL

SECTION 11: That Section 2.1.1 of NLRMC Chapter 4 (Buildings and Building Regulations is hereby amended to read as follows:

**2.1.1 Work, compliance with ordinance.**

The Community Planning Department shall issue no building permits for repair, remodeling or siding work unless the Building Official [or the Chief Building Inspector](#) has determined that such work and materials will, when completed, comply with all ordinances of the city.

SECTION 12: That Section 2.1.2 of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**2.1.2 Repairs to substandard structure; conditions to be corrected before certain permits issue.**

When exterior repairs are contemplated to a re-habitable but substandard structure and where such work only partially rehabilitates, while the structure remains substandard after the completion of the work, the building must first be found to be structurally sound by the Building Official [or the Chief Building Inspector](#), and any and all of the following conditions shall be corrected before a permit will be issued for any siding work:

- (1) Foundation shall be repaired when there are indications of uneven settlement, cracked foundations or out of plumb corners.
- (2) Curtain walls of masonry material shall be installed if needed with adequate vents provided for the crawl space.
- (3) All joints shall be adequately caulked or flashed.
- (4) Appropriate methods of termite and decay protection shall be used and all wood showing indications of decay and/or infestation must be replaced.
- (5) Gutters and downspouts shall not be loose or damaged and shall drain properly.
- (6) There shall be no indications of delamination in any plywood used.
- (7) The structure's roof shall not sag and must not give indication of leaks to the interior.
- (8) Exterior walls shall be plumb and without bulges.
- (9) All doors and windows shall be painted, re-glazed and weather-stripped as needed.
- (10) Attic and crawl space shall be adequately vented and the vents must be screened.
- (11) All siding which is loose, cracked, split or warped shall be replaced and any indication of water leakage shall be corrected.

(12) ~~All concrete slabs shall require reinforcement in accordance with ACI 332.~~

SECTION 13: That Section 2.1.3 of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**2.1.3 Changes in work in progress; workmanship.**

Where there are any changes in the work, including substitutions of materials, changes in the scope of workmanship required or which may be proposed by the contractor, or found necessary or desirable as the work progresses, such changes shall be approved by the Building Official [or the Chief Building Inspector](#) before any work incidental thereto is commenced. Workmanship shall conform to generally accepted good practice.

SECTION 14: That Section 2.1.4 of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**2.1.4 Materials.**

Materials shall be in good condition, and of standard grade unless otherwise stipulated in the specifications filed with the Building Official [or the Chief Building Inspector](#) and approved by him. Where the repair of existing structural material is called for, the materials are to be placed in "equal to new" condition, either by patching or replacement; all the damaged, loose or rotted parts shall be removed or replaced and the finished work shall match the adjacent material in design and dimension.

SECTION 15: That Section 2.1.5 of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**2.1.5 Concrete slabs.**

[All concrete slabs shall require reinforcement in accordance with ACI 332.](#)

SECTION 16: That Section 3.1.1 of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**3.1.1 New Construction.**

- (A) The only allowed use of 14 gauge wire shall be on smoke detectors and lighting, but it must be on 14 gauge circuits.
- (B) Residential receptacles shall be wired with no less than 12 gauge wire and no more than 8 outlets per circuit; except any kitchen shall have no more than 4 outlets per circuit.
- (C) Commercial ~~and industrial~~ receptacles shall be wired with no less than 12 gauge wire and no more than 6 outlets per circuit.

SECTION 17: That Section 6.1.2(A) of NLRMC Chapter 4 (Buildings and Building Regulations) is hereby amended to read as follows:

**6.1.2 Permits.**

(A) Driveway/Curb Cut ..... \$ 25.00

Required any time a curb will be cut within street right-of-way or when residential or commercial ~~or industrial~~ driveways will be constructed within street right-of-way.

SECTION 18: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 19: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 20: It is hereby found and determined there is a need to update or clarify certain code sections of the City's Building Regulations regarding permits, inspections and certain other regulations, and the passage of this Ordinance is necessary in order to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

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\_\_\_\_\_

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith  
Mayor Joe A. Smith *by AF*

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED <u>11:30</u> A.M. _____ P.M.
By <u>Amy Fields CA</u>
DATE _____
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY _____