

AND ORDINANCE PROVIDING FOR FIRE LIMITS AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1. ADOPTION OF BUILDING CODE.

There is hereby adopted by the City of Conway, Arkansas for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the Southern Standard Building Code, recommended by the Southern Building Code Congress, being particularly the 1965 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, but specifically including those amendments thereto designated as the 1968 revision, of which not less than three (3) copies have been and are now filed in the office of the Clerk-Treasurer of the City of Conway, Arkansas, and the same are hereby adopted and incorporated as fully as if set out: at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and other structures within the corporate limits of the City of Conway, Arkansas.

Section 2. ENFORCEMENT.

The City Inspector of the City of Conway, Arkansas, shall have the duty to enforce all laws relating to the construction, alteration, removal, and demolition of buildings and structures.

Section 3. RIGHT OF ENTRY.

The City Inspector, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

Section 4. DEFINITIONS.

(a) Wherever the word "Municipality" is used in the building code, it shall be held to mean the City of Conway, Arkansas.

(b) Wherever the term "Corporation Counsel" is used in the building code, it shall be held to mean the City Attorney of the City of Conway, Arkansas.

Section 5. FIRE LIMITS ESTABLISHED.

The fire limits of the City of Conway, Arkansas are hereby established as follows:

Beginning at the Northeast corner of Lot One Hundred Forty-seven (147) of Fidler's Survey of the City of Conway, and running thence in a Southeastwardly direction along the West line of Parkway Avenue to the Southeast corner of Lot One Hundred Thirty-nine (139) of said Fidler's Survey of said City; thence running West to the Northwest corner of Lot One Hundred Thirty-six (136) of Fidler's Survey of said City; running Southeastwardly along the East line of Lot Two Hundred Forty-three (243) of said Fidler's Survey to the Southwest corner of Lot One Hundred Thirty-two (132) of said Fidler's Survey of the City of Conway, Arkansas; thence running due East to a point on the North line of Prince Street, which is due North of the West line of Locust Avenue; thence South to the Northeast corner of Lot Thirty-seven (37), block Twenty-five (25), Robinson's Plan of Conway; thence in a South and Southeasterly direction along the West line of Locust Avenue to the Southeast corner of Lot Four (4) of Block Forty-eight (48) of Robinson's Plan of the City of Conway; thence running Northeast to the Southwest corner of Lot Sixteen (16), Block Twenty-one (21), Robinson's Plan; thence Northeastwardly along the North line of Prairie Street to the East line of the Missouri Pacific Railroad Company right-of-way; thence Southeastwardly along the East line of the said Missouri Pacific Railroad Company right-of-way to the Southwest corner of Lot Six (6), Block Fifteen (15), Robinson's Plan; thence Northeastwardly along the North line of Elm Street to the Southeast corner of Lot One (1), Block Eight (8) of said Robinson's Plan to the City of Conway; thence running North along the West line of U. S. Highway No. 65 to a point due West of the Southwest corner of Lot Five (5), Block Ten (10), Harkrider Addition; thence East to the Southeast corner of said Lot Five (5), Block Ten (10), Harkrider Addition; thence

running North to the Northeast corner of Lot Four (4), Block 10, Harkrider Addition; running thence Northeastwardly to the Southeast corner of Lot Sixteen (16), Block Seven (7) of said Harkrider Addition; thence running North to the Northeast corner of Lot Eleven (11), Block Six (6) of Harkrider Addition; thence running Northeastwardly to the Southeast corner of Lot Fourteen (14), Block Three (3) of said Harkrider Addition; thence running North to the Southeast corner of Lot Ten (1), Block Two (2), Harkrider Addition; thence running East to the Southeast corner of Lot One (1), Block One (1) of said Harkrider Addition; thence running North to the Southeast corner of Lot One (1), Block Sixteen (16) of Srygley Addition; thence running West to the Southeast corner of Lot One (1), Block Thirteen (13), of said Srygley Addition; thence running North to the Northeast corner of said Lot One (1), Block Thirteen (13) of said Srygley Addition; thence running West to the Northeast corner of Lot Three (3), Block Thirteen (13), Srygley Addition; thence running North to the Northeast corner of Lot Three (3), Block Four (4) Srygley Addition; thence West along the South line of Mill Street extended Westward and to its intersection with the centerline of Harkrider Street; thence South along the centerline of Harkrider Street and to its intersection with the centerline of Garland Street; thence West along the centerline of Garland Street to its intersection with the centerline of Markham Street; thence North along the centerline of Markham street a distance of twenty-four (24) feet; thence West along the centerline of a certain alleyway which lies between Lots Five (5) and Six (6) of Bruce Addition and to the centerline of Spencer Street; thence South along the centerline of Spencer Street to a point where the centerline of Smith Street, extended Westward would intersect the centerline of Spencer Street; thence Westwardly along and with the centerline of Smith Street and to the centerline of Front Street; thence Northward along and with the centerline of Front Street and to its intersection with the South line of Mill Street; thence West along and with the South line of Mill

Street to the Northeast corner of Lot One Hundred Forty-Seven (147), according to Fidler's Survey of the City of Conway and to the point of beginning.

Section 6. AMENDMENTS TO THE CODE HEKEBY ADOPTED.

The code hereby adopted is amended and chaged in the following respects:

a. Section 1.07.4 is amended as follows:

"On all buildings, structures or alterations requiring a building permit, as set forth in Section 105, fee shall be paid as required at the time of filing application, in accordance with the following schedule:

"(a) Permit Fees

"(1) Dwellings

"a. On new construction of dwellings the building permit fee shall be one and one-half cents (1 1/2) per square foot of heated area in such dwelling, and one cent (1) per square foot; of all other areas, including garages, carports and covered patios.

"b. On remodeling or repairing of a dwelling the building permit fee shall be \$10.00 when the actual cost of such remodeling or the contract price, whichever is greater is \$500.00 or more, If the greater sum of the actual cost or contract price is less than \$500.00 no building permit fee shall be payable.

"(2) Other construction, repair and remodeling.

The building permit fee on all construction, repair, and remodeling of any building or structure other than a dwelling shall be computed as one-tenth of one percent (0.1%) of the contract price of the building or structure excepting therefrom the amount of such gross contract price which comprises the electrical and mechanical portion thereof.

(b) Moving of Building or Structures,

1. For the moving of any building or structure, the fee shall be \$10.00.

b. Chapter 3 of said Code is amended as follows:

"CHAPTER III

"FIRE DISTRICT

"Section 301-General Building Restrictions-
Within Fire District

"301.1-GENERAL

For the purpose of this Code there shall be established one fire district or zone.

301.2-TYPES OF CONSTRUCTION PERMITTED

Within the fire district every building hereafter erected shall be one of the following types except temporary structures as provided in Section 504.

- Type I • Fireproof
- Type II • Fire-Resistive
- Type III • Heavy Timber
- Type IV • Non-Combustible Frame

301.3-OTHER SPECIFIC REQUIREMENTS

(a) Exterior Walls

Exterior walls of buildings located in the First District shall comply with the requirements specified in Chapter VI, except as set forth in Section 610.

(b) Group "H" Special Hazardous Not Permitted

Every Group "H" occupancy shall be prohibited from location within the Fire District.

(c) Fire Protection

Every building shall be fire protected throughout as specified for the various types of construction, Chapter VI.

(d) Roof Coverings

Roof coverings in the fire district shall conform to the requirements for class 1 or 2 roof coverings, as defined in section 706.

(e) Interior Fire Protection

In buildings over one story in height (unless of Type III Heavy Timber construction or sprinklered) all walls, floors, roofs and their supporting structural members shall provide not less than one (1) hour fire-resistance. (Temporary partitions are set forth in Section 702.2.)

SECTION 302-CHANGES TO BUILDINGS

302.1-EXISTING BUILDINGS

Within the Fire District no existing building shall be hereafter increased in height unless it is of a type of construction permitted for new buildings within such Fire District, or is altered to comply with the requirements for such type of construction; nor shall any existing building be hereafter extended on any side, unless such extensions are of a type of construction permitted for new buildings within such Fire District.

302.2-ALTERATIONS-GENERAL

Nothing in this section, however, shall prohibit other alterations within the Fire District, provided there is no change of occupancy that is otherwise prohibited and provided the fire hazard is not increased by such alterations.

302.3-MOVING BUILDINGS

No building shall hereafter be moved into the Fire District or to another lot in the Fire District unless its type of construction is permitted in the District. (See Section -204-Regulations for Moving Buildings).

SECTION 303-BUILDINGS LOCATED IN TWO DISTRICTS

Any building located partially within and partially without the Fire District shall be of a type of construction required for the most highly restricted District unless the major part of such building lies outside of such District, and not part is more than ten (10) feet inside the boundaries of such district,

SECTION 304-EXCEPTIONS TO RESTRICTIONS
IN FIRE DISTRICTS

304.1-FIRST FIRE DISTRICT

The preceding provisions of this chapter shall not apply to temporary buildings used in connection with duly authorized construction, nor to water tanks or cooling towers conforming to Sections 713 and 714, nor to display signs conforming to Chapter XXIII,

304.3-OUTSIDE OF FIRE DISTRICT

Outside the Fire District all types of construction are permitted provided they comply with the provisions prescribed elsewhere in this code that apply regardless of location. Roof coverings shall conform to the requirements as defined in Section 706.

Section 7. Saving Clause.

Nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section 8. Validity.

The invalidity of any section or provision of this ordinance or of the code hereby adopted shall not invalidate other sections or provisions thereof.

Section 9. Inconsistent Ordinance Repealed.

Ordinance or parts thereof in force at the time that this ordinance shall take effect and inconsistent herewith are hereby repealed.

Section 10. Date of Effect.

This ordinance shall take effect and be in full force upon sixty (60) days from and after its passage, approval and publication.

ADOPTED this 8 day of July, 1969.

APPROVED

Walter D. Dumas
Mayor

ATTEST :

Louis Dumas
Clerk-Treasurer