

ORDINANCE NO. A- 489

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS GOVERNING THE USE, OCCUPANCY AND MAINTENANCE OF DWELLINGS, DWELLING UNITS AND ACCESSORY STRUCTURES: ESTABLISHING MINIMUM STANDARDS GOVERNING SUPPLIED UTILITIES AND FACILITIES, AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO MAKE DWELLINGS SAFE, SANITARY, AND FIT FOR HUMAN HABITATION: ESTABLISHING MINIMUM STANDARDS GOVERNING THE CONDITION AND MAINTENANCE OF DWELLINGS AND ACCESSORY STRUCTURES: FIXING CERTAIN RESPONSIBILITIES AND DUTIES OF OWNERS AND OCCUPANTS OF DWELLINGS: CREATING A BOARD OF HOUSING CODE APPEALS AND FIXING THE DUTIES AND RESPONSIBILITIES THEREOF: AUTHORIZING THE INSPECTION OF DWELLINGS AND ACCESSORY STRUCTURES AND PROVIDING FOR THE CONDEMNATION OF ALL BUILDINGS AND STRUCTURES DEEMED UNFIT FOR HUMAN HABITATION AND USE: AND, FIXING PENALTIES FOR VIOLATIONS.

WHEREAS, within the area of jurisdiction of the City of Conway, Arkansas there are or may be dwellings, dwelling units and accessory structures which are unfit for human habitation and use due to inadequate maintenance, obsolescence or abandonment; containing defects increasing the hazards of fire, accident, or other calamities, and which by reason of the lack of maintenance, inadequate ventilation, light and sanitary facilities or other conditions rendering such dwellings and accessory structures unsafe, unsanitary and dangerous or detrimental to the health, safety, morals, and general welfare of the community; and,

WHEREAS, experience and accepted national housing surveys have clearly demonstrated that such conditions result in a large measure from improper maintenance, inadequate sanitary facilities, overcrowded conditions in residential occupancies, **buildings** and premises and from general neighborhood neglect; and,

WHEREAS, it has now become common knowledge that these conditions can be relieved, in a measure prevented and often eliminated through planned and properly enforced minimum housing standards, resulting thereby in the upgrading of living conditions and an overall enhancement of the general health, safety and welfare of all residents and property owners of the community; and,

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WHEREAS, the Southern Building Code Congress, a non-profit association, has developed and made available a set of minimum housing standards which have been recognized as being acceptable as a model housing code; and,

WHEREAS, Arkansas Statute (1947), Sections 19-2421 to 19-2423 provide that such model codes may be adopted by reference.

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

SECTION 1. The Southern Standard Housing Code, being particularly the 1969 edition thereof and the whole thereof, save and except such portions as may hereinafter be amended, 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 forth at length herein, and from the date on which this ordinance shall take effect, the provisions therein shall be controlling in the use, maintenance and occupancy of all dwellings, dwelling units and/or structures within the area of jurisdiction of the City of Conway, Arkansas.

SECTION 2. AMENDMENTS TO SAID CODE. (a) The words "Building Official," as used in the code being hereby adopted, shall be construed to mean and shall be synonymous with "City Inspector of the City of Conway, Arkansas," as such office does now or may hereafter exist under valid ordinances of the City of Conway, and all duties and responsibilities placed upon the "Building Official" in such code shall devolve upon and be vested in said City Inspector.

(b) The words "Department of Law" as used in paragraph 103.5 of the Code hereby adopted shall be construed to mean and shall be synonymous with the City Attorney of the City of Conway, Arkansas, or his duly appointed and constituted deputy.

SECTION 3. 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

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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 4. 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 5. All ordinances or parts of ordinances in force at the time that this ordinance shall take effect and inconsistent herewith and particularly Ordinance No. A-465 adopted by the City Council of the City of Conway, Arkansas on August 5, 1968, are hereby repealed.

SECTION 6. This ordinance shall take effect immediately upon passage for the welfare of the City of Conway, Arkansas requiring it.

PASSED: July 8, 1969

APPROVED:

H. Conway
Mayor

ATTEST:

Robin D. Dunn
Clerk-Treasurer