

ORDINANCE NO. 0-84 - 3

AN ORDINANCE AMENDING ARTICLE 1001, SECTIONS 1001.1 AND 1001.2 OF THE CONWAY LAND DEVELOPMENT CODE; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

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

Section 1. That Article 1001, Section 1001.1 is amended by the addition of the following paragraphs.

"However, the City Inspector may grant a permit for the moving of a "portable" building if said building or structure meets the following criteria, and other requirements of this ordinance."

Definitions: Portable building as used in this ordinance shall mean any building or structure not designed for full time occupancy, with no sleeping quarters and no installed electrical wiring or recepticals and no plumbing facilities, and is so designed to be transported after fabrication on its own wheels or on a flatbed or other trailers or detachable wheels, or on skids, or by other means of transportation.

Such building shall be deemed an "Accessory Building" and will be subject to the conditions applying to uses in Section 601.2 of the Land Development Code. Such building shall further comply with all requirements set forth in this ordinance for the zoning district into which said building or structure is placed."

Section 2. That Article 1001, Section 1001.2 is amended to read as follows:

"All applications for a relocation permit to move any building shall be made in writing to the City Inspector on a form furnished by said Inspector, and shall contain the following information:

- (a) Description of type of building to be moved.
- (b) Present location of building.
- (c) Proposed location of building.
- (d) Present and future use of building.
- (e) Route over which said building is to be moved and method to be used in moving said building.
- (f) Photographs of the building or structure to be moved and photographs of the buildings on the properties contiguous with the premises onto which the building or structure is to be moved.

- (g) A report from a licensed structural pest control contractor stating the condition of the building or structure as to decay on pest infestation.
- (h) Such other information as may reasonably be required in order to carry out the purposes of this section.

Ordinance Number A-581, Section I-2.

If upon review of the application the City Inspector can reasonably determine that the building or structure meets requirements of a portable building as defined in this ordinance, that a permit may be granted and no fee will be charged. If this determination cannot be made by the City Inspector, the application will be forwarded to the City Planning Commission for action as set out in this ordinance for the moving of other buildings and structures.

Section 3. That the first sentence of 1001,

Section 1001.3 shall be amended to read as follows:

"Before any application for a relocation permit is forwarded to the City Planning Commission an application fee shall be paid by the applicant to the City Inspector to cover the cost of investigation and inspection."

Section 4. That Chapter 11.28 of the Conway

Municipal Code is hereby repealed in its entirety and found to be a duplication of Article 1001 of the Conway Land Development Code. That all other ordinances in conflict herewith are repealed to the extent of the conflict.

Section 5. It is hereby found and determined that there is an immediate need for clarification in the administration of the Conway Land Development Code in regard to the movement of portable buildings and the above ordinance is necessary for the preservation of the public peace, health, and safety. Therefore an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

Passed on the _____ day of February, 1984.

MAYOR

ATTEST

CITY CLERK