

TITLE 11

BUILDINGS AND CONSTRUCTION

Chapters:

- 11.04 Building Permit
- 11.16 Fire Prevention Code
- 11.20 Housing Code
- 11.24 Condemned Structures
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CHAPTER 11.04

BUILDING PERMIT

Sections:

- 11.04.01 Required
- 11.04.02 Application
- 11.04.03 Fees
- 11.04.04 Procedures
- 11.04.05 Issuance
- 11.04.06 Building utilities and exterior
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11.04.01 Required The owner of any land situated within the incorporated limits of the city shall neither construct nor allow construction or placement on such land of any building or structure of a type set forth in the sub-paragraphs (A) through (D) below, without having obtained a building permit from the city. The aforementioned permit will likewise be required in event of remodeling exterior structure, additions or modifications to existing structures, but only if the cost exceeds Fifteen Hundred Dollars (\$1,500.00) in real value.

- A. Single-family residence.
- B. Multiple-family residence.

- C. Any building in which, or from which, any business, commercial enterprise, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes.
- D. Detached garages.
- E. All structures will be built in accordance with the International Building Code, current edition. (Ord. No. 8-11-2012)

11.04.02 Application The application for any building permit by this chapter will be submitted by the land owner concerned to the City Clerk's office.

11.04.03 Fees

- A. There is no cost for the permit application.
- B. A building permit for new home construction shall be issued at the rate of Ten Cents (\$.10) per square foot of heated living space regardless of type of structure up to 2000 square feet with no additional charge after 2000 square feet.
- C. The cost of a building permit for any other type of improvements, additions, or modifications to existing structures other than new home construction for any exterior work, (examples: porches, garage, permanent sheds, windows, fences, etc.) will be: Ten Dollars (\$10.00) for work between \$1,500 - \$2,500, and Thirty Dollars (\$30.00) permit fee for any work over Twenty-Five Hundred Dollars (\$2,500.00) in real value. (Ord. No. 5-8-2010)

11.04.04 Procedures The following are procedures for an applicant to follow in order to obtain a building permit for new construction, additions, or modifications to existing structures:

- A. Fill out a permit application in the city office. Any work being done above the amount of One Thousand Five Hundred Dollars (\$1,500.00) may be approved by the Planning and Zoning Commission. (Ord. No. 5-8-2010.)
- B. Obtain copies of the applicable building codes from the City Clerk.
- C. After all required paperwork is submitted for final review and is approved at a regularly held meeting of the Planning and Zoning Commission, applicable fees shall be paid and a permit shall be issued.
- D. Variances to codes by request, and with approval of the Planning Commission, shall be submitted for final approval by the City Council at its next regularly scheduled meeting date. (Ord. No. 3-11-2006)

The following items will be required to obtain a building permit:

- A. A current lot survey by a licensed Arkansas surveyor with visible corner staking.
- B. Proof of percolation test and results of test.
- C. Septic field design and approval of the Public Health Officer.
- D. Deed to property.
- E. Site layout on plat survey for Sections 5, and 6. (Ord. No. 2017-02, Sec. 8.)
- F. Items below this line do not apply for manufactured homes in Sections 5 and 6. (Ord. No. 2017-02, Sec. 8.)
- G. Building plan sets, site layout on plat survey.
- H. Type building to be constructed or repaired (as listed in 11.04.01 of this chapter.
- I. Outside dimensions of the proposed building or addition.
- J. Manner in which the proposed building will be anchored to the foundation.
- K. Height of the first floor level above the ground level, as measured from the highest point of the ground level, after grading and leveling.
- L. Date on which construction is proposed to begin.
- M. Exterior must be completed within six (6) months, final completion within one (1) year.

11.04.05 Issuance

- A. When permit is approved by the Planning and Zoning Commission at a regular or special meeting, the chair of the Planning and Zoning Commission will sign the permit and give it to the applicant for return to the City Clerk to sign, seal, and copy it for file. The original will be given to the applicant with the inspection stages form.

- B. If the permit is denied and the applicant wishes a hearing from the City Council, the Mayor of the city of Briarcliff, Arkansas, will present permit application to the City Council of the city of Briarcliff, Arkansas, for disposition at its next regularly called meeting. No application will be presented for the Council's consideration until it has been reviewed by the City Planning and Zoning Commission and bears their recommendation as to disapproval. Or in case of a variance approved by the Planning and Zoning Commission, the final approval will be from the Briarcliff City Council. In each such case, the permit shall be granted unless found to be in violation of any flood zone ordinance or other ordinance heretofore or hereinafter adopted by the city.
- C. Any building permit issued under the provisions of this chapter will remain valid only for a period of one (1) year from its date of issue, and becomes void if construction has not been completed with that period. (Ord. No. 7-8-2006)

11.04.06 Building utilities and exterior

- A. The septic system must be perked and approved by the Baxter County Sanitarian prior to installation of the water meter.
- B. A valid building permit must first be issued before water line and meter installation is allowed. This requirement also applies to temporary electrical power installation. (Ord. No. 7-8-2006)

11.04.07 Building inspections Building inspections shall be performed at the stages specified in the International Building Code. These are foundation inspection, plumbing, mechanical, gas, and/or electrical inspections before covering or concealment, frame and masonry inspection, and final inspection.

- A. It shall be owner/builder and contractors responsibility to accomplish the inspections when the inspection stages are reached. The owner/builder will sign a release of liability waiver to the city of Briarcliff.
- B. The City Clerk will issue inspection forms outlining the six (6) inspection stages. These forms are to be signed by the builder and/or contractor and owner confirming that the work has been completed as specified in the Building Codes. The original is to be returned to the City Clerk for file and copy to owner and/or builder/contractor.
- C. Failure to do so may require deconstruction to allow for inspection.
- D. No building may be occupied until a certificate of occupancy is issued by the city.

- E. Any contractor performing work within the city of Briarcliff shall be licensed and bonded in accordance with A.C.A. 17-25-404 and proof of license will be required by the city for construction exceeding \$20,000.00.
- F. Any contractor performing remodeling or repair work of any structure shall provide proof of adequate bonding to the City Clerk's office. (Ord. No. 7-8-2006)

11.04.08 Fines Any violations and infractions to these codes in effect shall result in a fine of up to Fifty Dollars (\$50.00) per day per infraction until such infractions are corrected. (Ord. No. 7-8-2006)

CHAPTER 11.16

FIRE PREVENTION CODE

Sections:

- 11.16.01 Adoption of fire prevention code
- 11.16.02 Enforcement
- 11.16.03 Establishment of districts in which storage of flammable liquids in outside above ground tanks, bulk storage of liquified petroleum gases and storage of explosives and blasting agents is to be restricted
- 11.16.04 Modifications
- 11.16.05 Appeals
- 11.16.06 Penalties

11.16.01 Adoption of fire prevention code There is hereby adopted by the city of Briarcliff, Arkansas, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Standard Fire Prevention Code, of which code not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the corporate limits of the municipality.

11.16.02 Enforcement The code hereby adopted shall be enforced by the Chief of the Fire Department of the municipality.

11.16.03 Establishment of districts in which storage of flammable liquids in outside above ground tanks, bulk storage of liquified petroleum gases and storage of explosives and blasting agents is to be restricted The limits referred to in Section 73 of the code hereby adopted in which storage of flammable liquids in outside above ground tanks is prohibited, the limits referred to in Section 103 of the code hereby adopted, in which bulk storage of liquified petroleum gas is restricted, and the limits referred to in Section 53 B of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

- A. The area designated on the "Official Zoning Map" of the municipality as the Central Business District;
- B. Within fifteen hundred (1500) feet of any building structure in any built up area within the corporate limits of the municipality.

With the exception of outside above ground tanks for the storage of flammable liquids or for the bulk storage of liquified petroleum gases having been located in such designated areas prior to the adopting date of this ordinance; provided, however, that the Fire Chief shall inspect such facilities and issue a letter of "Modification" as hereinafter set forth in Section 11.16.04.

11.16.04 Modifications The Chief of the Briarcliff Fire Department shall have the power to modify any of the provisions of the code hereby adopted upon application, in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decisions of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

11.16.05 Appeals Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the governing body of the municipality within thirty (30) days from the date of the decision appealed.

11.16.06 Penalties Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the governing body of the municipality or by a court of competent jurisdiction,

within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment for not less than three (3) days nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defect within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

CHAPTER 11.20

HOUSING CODE

Sections:

- 11.20.01 Adoption of
- 11.20.02 Housing Official
- 11.20.03 Board of Appeals
- 11.20.04 Duties of Housing Official
- 11.20.05 Right of entry

11.20.01 Adoption of There is hereby adopted by the City Council of the city of Briarcliff, Arkansas, that certain code of health and housing standards known as the Standard Housing Code, of which not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling on all dwellings and premises within the city limits.

11.20.02 Housing Official

- A. The office of Housing Official is hereby created.
- B. The Housing Official, appointed by the Mayor, shall be responsible for the enforcement of this chapter.

11.20.03 Board of Appeals There is hereby created a Board of Housing Appeals which shall consist of five (5) members appointed by the Mayor and subject to confirmation of the City Council of the city of Briarcliff, Arkansas. The Board shall act by a majority vote of the members present. Said Board shall have the power and be required to hold public hearings in deciding appeals where it is alleged there is an error in law or fact in any order or decision of the Housing Official in the enforcement of this chapter.

11.20.04 Duties of Housing Official It shall be the duty of the Housing Official to enforce all laws and provisions specified in the herein adopted Standard Housing Code.

11.20.05 Right of entry The Housing Official, in the discharge of his official duties, and upon proper identification, may inspect a rental structure after receipt of a written request of complaint filed by the tenant(s) in regards to questionable conditions.

CHAPTER 11.24

CONDEMNED STRUCTURES

Sections:

11.24.01	Unlawful
11.24.02	Condemnation for abatement
11.24.03	Pre-condemnation notice
11.24.04	Contents of resolution and notice
11.24.05	Post-condemnation notice
11.24.06	Boarding and securing
11.24.07	Abatement of owner
11.24.08	Abatement of city
11.24.09	Sale of materials
11.24.10	Disposition of sale proceeds
11.24.11	Abatement costs and lien on property
11.24.12	Penalty
11.24.13	Judicial declaration and fine
11.24.14	Emergency action
11.24.15	Applicability of technical codes
11.24.16	Performance bond policy

11.24.01 Unlawful That is shall be and it is hereby declared to be unlawful for any person or persons, partnership, corporation or association to own, keep or maintain any house, building and/or structure within the corporate limits of the city of Briarcliff, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by resolution of the City Council. (Ord. No. 8-15-2001)

11.24.02 Condemnation for abatement Any such house, building and/or structure which is found and declared to be a nuisance by resolution of the City Council will be condemned to ensure the repair, rehabilitation, securing, and/or razing and removal thereof as specified in the "Notice to Repair or Remove." (Ord. No. 8-15-2001)

11.24.03 Pre-condemnation notice Prior to the consideration of a resolution by the City Council declaring any house, building and/or structure as a nuisance, the owner of such house, building and/or structure shall be notified in writing of the date, time and place that the City Council will consider said resolution. Said notice shall be delivered by registered letter or personal service, the receipt of which shall be duly acknowledged. Should the owner(s) of any such house, building and/or structure not be known or the owner's whereabouts not be known or such owner(s) is a non-resident of Arkansas, then a copy of the written notice shall be posted upon the premises and the Mayor or his designee shall make an affidavit setting out the facts as to unknown address or whereabouts of non-residents, and thereupon, service of publication as now provided for by law against non-resident defendant may be had and an attorney *ad litem* shall be appointed to notify the defendant by registered letter addressed to his last known place of residence if same can be found. (Ord. No. 8-15-2001)

11.24.04 Contents of resolution and notice The resolution of the City Council condemning any house, building and/or structure which constitutes a nuisance will include in said resolution and attachments thereto, an adequate description of the house, building and/or structure, the name of owners, if known, this ordinance, and shall set forth the reason or reasons said house, building and/or structure has been condemned as a nuisance. (Ord. No. 8-15-2001)

11.24.05 Post-condemnation notice After a house, building and/or structure has been found and declared to be a nuisance and condemned by resolution as herein provided, a true or certified copy of said resolution together with a Notice to Repair or Remove will be mailed to the owner or owners thereof, if the whereabouts of said owner or owners be known or their last known address be known, and a copy thereof shall be posted in a conspicuous place on said house, building and/or structure. Provided, that if the owner or owners of said house, building and/or structure is unknown or if his or their whereabouts or last-known address is unknown, the posting of the copy of said resolution as hereinabove provided will suffice as notice. (Ord. No. 8-15-2001)

11.24.06 Boarding and securing When necessary for the public health and safety, the owner(s) of any property declared a nuisance by the city shall board and secure the structure or

condition within the time set forth in the notice. The owner(s) shall maintain such boarding or securing at all times until the structure is brought into full compliance with the applicable building or abatement codes or until such time as to the structure is razed and removed. Boarding and securing of the structure or condition does not relieve the owner(s) of the requirement to diligently repair, rehabilitate or demolish and remove the structure or condition. All materials used to board and secure shall be weatherproofed or treated and shall be painted and maintained with a color of paint that blends with the overall structure. (Ord. No. 8-15-2001)

11.24.07 Abatement of owner The owner(s) of any property declared a nuisance by the City Council shall obtain the necessary permits and commence to repair, rehabilitate, secure, raze and remove, or otherwise abate the nuisance with ten (10) days and shall continue such work to satisfactory completion with such time as the Mayor his/her designee determines. (Ord. No. 8-15-2001)

11.24.08 Abatement of city If the owner of the house, building and/or structure constituting a nuisance have not obtained required permits and commenced work to repair, rehabilitate, secure raze and remove, or otherwise abate the nuisance within ten (10) days after posting the true copy of the resolution at a conspicuous place on said house, building and/or structure, said house, building and/or structure constituting the nuisance will be repaired, boarded and secured, or razed and removed as may be necessary to abate the nuisance by the Mayor or his/her designated representative. (Ord. No. 8-15-2001)

11.24.09 Sale of materials The Mayor or any other person or persons designated by him/her to raze and remove any such house, building and/or structure constituting a nuisance will insure the removal thereof and dispose of the same in such a manner as deemed appropriate in the circumstances and to that end may, if the same have a substantial value, sell said house, building and/or structure, or any saleable material thereof, by public sale to the highest bidder for cash, ten (10) days' notice thereof being first given by one publication in some newspaper having a general circulation in the city, to insure its removal and the abatement of the nuisance. (Ord. No. 8-15-2001)

11.24.10 Disposition of sale proceeds All the proceeds of the sale of any such house, building and/or structure, or the proceeds of the sale of saleable materials therefrom and all fines collected from the provisions of this ordinance shall be paid by the person or persons collecting the same to the City Treasurer. If any such house, building and/or structure, or the saleable materials therefrom be sold for an amount which exceeds all costs incidental to the abatement of the nuisance (including the cleaning up of the premises) by the city, plus any fine or fines imposed, the balance thereof will be returned by the City Treasurer to the former owner or owners of such house, building and/or structure constituting the nuisance. (Ord. No. 8-15-2001)

11.24.11 Abatement costs and lien on property If the city has any net costs in the securing, repair or razing and removal of any house, building and/or structure, the costs shall be

charged to the owner(s). Should the owner(s) fail to pay said charges within sixty (60) days from the date of the first billing, the city shall have a lien on the property as provided by A.C.A. 14-54-903 and 904. The lien may be enforced in either one of the following manners:

- A. The lien may be enforced at any time within eighteen (18) months after work has been done, by an action in the Chancery Court; or
- B. The amount of the lien herein provided may be determined at a hearing before the City Council held after thirty (30) days' written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then only after publication of notice of such hearing in a newspaper having a bona fide circulation in the Baxter County wherein the said property is located for one (1) insertion per week for four (4) consecutive weeks, the determination of the City Council being subject to appeal by the property owner in the Chancery Court, and the amount so determined at said hearing, plus ten percent (10%) penalty for collection, shall be by the City Council certified to the tax collector of Baxter County wherein said municipality is located, and by him placed on the tax books as delinquent taxes, and collected accordingly, and the amount, less three percent (3%) thereof, when so collected shall be paid to the city by the Baxter County Tax Collector. (Ord. No. 8-15-2001)

11.24.12 Penalty A fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00) is hereby imposed against the owner or owners of any house, building and/or structure found and declared to be a nuisance by resolution of the City Council thirty (30) days after the same has been so found and declared to be a nuisance and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of Two Hundred Fifty Dollars (\$250.00) for each said separate and distinct offense, provided the notice as herein provided in Section 11.24.05 hereof has been given within ten (10) days after said house, building and/or structure has been by resolution found and declared to be a nuisance. (Ord. No. 8-15-2001)

11.24.13 Judicial declaration and fine In the event it is deemed advisable by the City Council that a particular house, building and/or structure be judicially declared to be a nuisance by a court having jurisdiction of such matters, the City Council is hereby authorized to employ an attorney to bring such an action for said purpose in the name of the city, and the only notice to be given to the owner or owners of any such house, building and/or structure sought to be judicially declared to be a nuisance will be that as now provided for by law in such cases in a court of equity or Chancery Court. When any such house, building and/or structure has been declared judicially to be a nuisance by a court of competent jurisdiction, a fine of One Hundred Dollars (\$100.00) is hereby imposed against the owner or owners thereof from the date said

finding is made by the court and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of One Hundred Dollars (\$100.00) for each separate and distinct offense. In the event the owner or owners of any such house, building and/or structure judicially found to be a nuisance fails or refuses to abide by the orders of the court, the Mayor or his/her designee shall take such action as provided in 11.24.08 and 11.24.09 hereof, and 11.24.10 and 11.24.11 of this ordinance will be applicable to such owner or owners. The provisions contained in the immediately preceding sentences apply independently of any action as may be taken by the court judicially declaring the nuisance. (Ord. No. 8-15-2001)

11.24.14 Emergency action Notwithstanding any provision herein to the contrary, in cases of extreme emergency where notice is not practical, the city and its authorized agents may enter upon any real property, houses, building or other structures and take such action or actions as may be immediately necessary for the preservation of the public health, safety and welfare prior to the issuance of notice as provided for herein. Provided, further, that the procedural requirements of this ordinance shall be adhered to following any such emergency action. (Ord. No. 8-15-2001)

11.24.15 Applicability of technical codes The provision of this ordinance shall not be construed to limit the authority of the city, its agents, employees and officers in the administration and enforcement of the various technical codes which have been adopted by ordinance and which shall remain in full force and effect, specifically, the Housing Code, Building Code, Fire Prevention Code, Electrical Code and Plumbing Code. (Ord. No. 8-15-2001)

11.24.16 Performance bond policy Prior to the issuance of a building permit for the renovation or stabilization of a structure(s) condemned and scheduled for demolition pursuant to Title 14, Chapter 1, as amended, the owner thereof shall secure and present to the City Clerk a performance bond. Said performance bond shall be in an amount equal to the estimated total demolition costs then incurred and/or anticipated to be incurred by the city of Briarcliff in razing said structure and shall be payable to the city of Briarcliff in the event the work is not completed as stated in the owner's building renovation permit, provided, however, that this resolution shall not apply to any single family residential structure nor to any structure, regardless of type, whose total demolition costs are not expected to exceed Ten Thousand Dollars (\$10,000.00) (Ord. No. 8-15-2001)

CHAPTER 11.28

BUILDING CODE

Sections:

11.28.01 Adoption of Building Code

11.28.02	Establishment of office of Building Official
11.28.03	Qualifications of Building Official
11.28.04	Duties of Building Official
11.28.05	Liability
11.28.06	Right of entry
11.28.07	Definition
11.28.08	Fees
11.28.09	Call back fees
11.28.10	Residential buildings
11.28.11	Tents, trailers or outbuildings
11.28.12	Building foundations and footings

11.28.01 Adoption of Building Code There is hereby adopted by the City Council of the city of Briarcliff, 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 "Standard Building Code", of which not less than three (3) copies have been and are now filed in the office of the Recorder/Treasurer 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 structures therein contained within the corporate limits of the city.

11.28.02 Establishment of office of Building Official

- A. The office of the Building Official is hereby created.
- B. The Building Official shall be appointed by the Mayor. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.
- C. During temporary absence or disability of the Building Official, the Mayor shall designate an acting Building Official.

11.28.03 Qualifications of Building Official He shall be in good health, physically capable of making the necessary examinations and inspections. He shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or connected with building construction, alteration, removal and demolition.

11.28.04 Duties of Building Official

- A. He shall receive applications required by this code, issue permits and furnish the prescribed certificates. He shall examine the premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the Building Code. He shall, when requested by proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the Building Code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate existing facilities in buildings and structures, he shall issue such notices or orders as may be necessary.
- B. Inspections required under the provisions of the Building Code shall be made by the Building Official or his duly appointed assistant. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the Building Code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.
- C. The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made or reports rendered and of notices or orders issued.
- D. All such records shall be open to the public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the Building Official without his written consent.
- E. The Building Official shall make written reports to his immediate superior once each month, or more often if requested, including statements of permits and certificates issued, and orders promulgated.

11.28.05 Liability Any officer or employee of the city of Briarcliff, Arkansas, or member of the Board of Adjustments and Appeals, charged with the enforcement of this code, acting for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee because of such act performed by him in the enforcement of any provision of this code shall be defended by the City Attorney or legal representative of the city.

11.28.06 Right of entry The Building Official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises prior to occupancy with reasonable advance notice.

11.28.07 Definition Whenever the term "Corporation Counsel" is used in the Building Code, it shall be held to mean the City Attorney or other attorney acting for the city.

11.28.08 Fees

A. Building permit schedule of fees for erecting or repairing a building or structure:

	<u>Cost of Work</u>	<u>Cost of Permit</u>
First	\$ 1,000	\$3.00 per M
Next	\$ 9,000	\$2.50 per M
Next	\$15,000	\$2.00 per M
Next	\$25,000	\$1.50 per M
All Over	\$50,000	\$1.25 per M

Fractions to \$1,000 are considered to be the next \$1,000 in costs.

B. Building permit schedule of fees for moving of building or structure.

For the moving of any building or structure, the fee should be Ten Dollars (\$10.00).

C. Building permit schedule of fees for demolition of buildings or structures.

For the demolition of building or structure, the fee should be Four Dollars (\$4.00).

11.28.09 Call back fees If any building or structure fails for any reason to pass the Building Official's inspection and the Building Official has to re-inspect said building or structure, there will be an additional charge of Five Dollars (\$5.00) for each inspection; and any and all fees shall be paid by the person to whom the permit is issued.

11.28.10 Residential buildings Residential buildings shall be a minimum of 1400 square feet in all sections except #5, 6 and 15. Section #5 and #6 shall have a 720 minimum square footage and section #15 shall be reserved for non-permanent RV's and trailers with self-contained sewage and waste tanks. (Ord. No. 2017-02, Sec. 09.)

11.28.11 Tents, trailers or outbuildings No tents, trailers or outbuildings that do not meet the minimum square footage requirement for their section shall be used as a dwelling.

Exception: Should a resident of Briarcliff have guests visiting them with a self-contained RV/trailer, they can stay on the owner's residential property for a period not exceeding two (2) weeks. After the two (2) week period, said recreational vehicle cannot be occupied within the city any further until a one (1) month period has elapsed unless a variance is obtained from the city office for special circumstances. (Ord. No. 1-18-11.)

11.28.12 Building foundations and footings

A. Minimum footing requirements The following minimum requirements shall apply to all residential construction:

1. All footings shall be placed in a continuous pour of 3000# concrete with minimum depth from exterior finished grade to bottom of footing no less than eighteen (18) inches deep.
2. Minimum footing width shall be twenty-four (24) inches, except for footings on a one-story building with wood or vinyl siding may be eighteen (18) inches.
3. Minimum thickness of footing to be twelve (12) inches, except a one-story frame dwelling with wood or vinyl siding may be eight (8) inches.
4. Minimum of two (2) number 4 re-bars placed horizontally the full length of the footing, tied in place with support every six (6) feet, and each splice shall be lapped a minimum of 9" and tied.
5. The footings shall be placed on firm undisturbed soil. Where rock is encountered, it shall be removed to a depth of six (6) inches below the bottom of the footing and the rock excavation backfilled with compacted sand. The footing trench shall be free of rock, loose dirt, and debris.

B. Foundation walls

1. Walls shall be one of the following:
 - a. Poured 3000# concrete with a minimum thickness of eight (8) inches.
 - b. Eight (8) inch concrete block with filled core only if retaining soil.
 - c. Filled-core four (4) inch concrete block inner wall with brick veneer exterior.

2. Sill anchors shall be imbedded in foundation walls or intervals prescribed by architectural drawings or as specified in International Code.

C. Interior support columns

1. Center support columns in crawl space shall be of masonry construction, poured concrete, mortared brick, block or cement-filled steel lally columns concrete spread footings, sized and located to support the load.
2. Redwood shims will be accepted. (Ord. No. 2-7-2004)

CHAPTER 11.30

ENERGY CODE

Sections:

11.30.01 Adoption

11.30.01 Adopted There is hereby adopted by the City Council of Briarcliff, Arkansas, for the purpose of establishing rules and regulations for energy efficient standards for new building construction, this code known as the 2011 Arkansas Energy Code, being particularly the 2011 Arkansas Energy Code edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three (3) copies of this ordinance, as well as, three (3) copies of the 2011 Arkansas Energy Code, have been and now are filed in the office of the Clerk or Recorder of the city of Briarcliff, Arkansas, and the same ordinance is 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 structures therein contained within the corporate limits of the city of Briarcliff, Arkansas. (Ord. No. 1-15-2013.)