

City of Conway
A-6500

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Faulkner County
SHARON RIMMER
FAULKNER COUNTY CIRCUIT CLERK
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by *[Signature]*

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ORDINANCE NO. O-00-22

AN ORDINANCE ESTABLISHING STANDARDS FOR INTERIM AND CONSTRUCTION BUILDINGS IN THE CITY OF CONWAY; RESTATING THE REQUIREMENTS FOR TEMPORARY BUILDINGS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

D.C.

Whereas, it is desirable to allow interim buildings to be permitted to serve a purpose until a permanent building to serve that purpose may be constructed, and

Whereas, the current ordinances of the City of Conway make it difficult for such buildings to be permitted, and

Whereas, it is desirable to establish some control of construction buildings in the City of Conway, and

Whereas, it is desirable to establish the difference between a permanent building, an interim building, a construction building and a temporary building;

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

Section 1 - Definitions: The following words and phrases shall have the following meanings for the purposes of this ordinance.

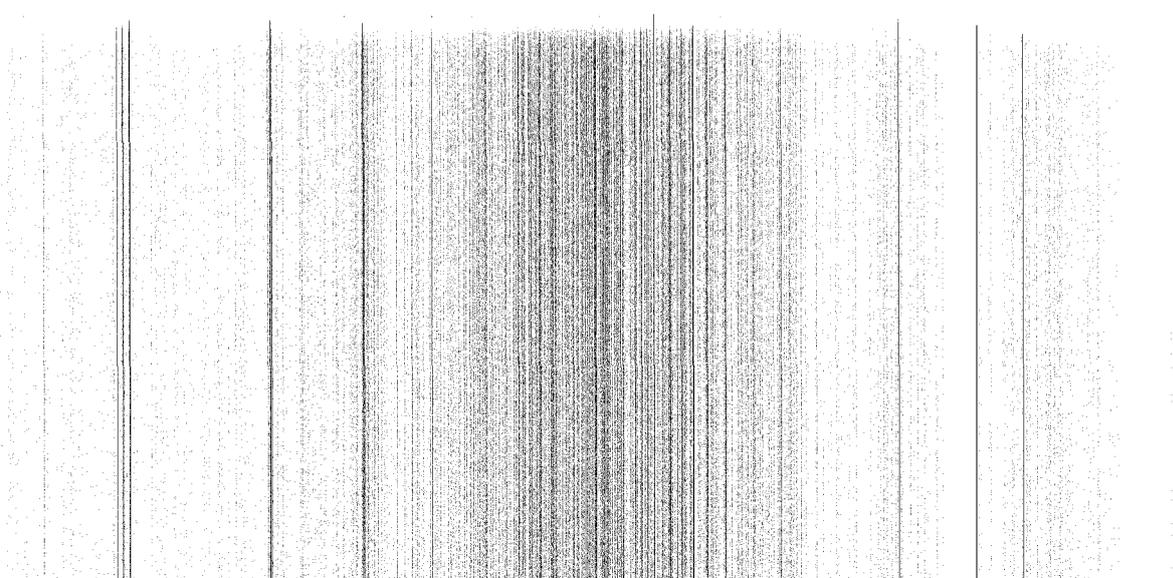
Construction Building: A building, whether built on another site or transported to the site on which it is to rest, which is intended to serve as the office and/or storage building on a construction site.

Interim Building: A building built on another site and transported to the site on which it is to rest in order to serve the same purpose as a permanent building for which a building permit has been issued.

Permanent Building: Any building, tent or awning (other than a construction building or an interim building) which is more than one hundred and sixty (160) square feet in area and/or more than sixteen (16) feet in its greatest dimension and/or which is located on any parcel or lot for longer than eleven (11) consecutive months.

Temporary Building: A building (other than a construction building or an interim building) which is designed to be transported and capable of being transported as a complete building without division into components and which is no more than one hundred and sixty (160) square feet in area, no more than sixteen (16) feet in its greatest dimension and which is located on any parcel or lot for no longer than eleven (11) consecutive months. This definition shall also include collapsible tents and/or awnings which meet the same dimensional requirements.

Section 2: City Codes: All permanent buildings are required to meet all the requirements of all City codes and ordinances, including but not limited to the Zoning Ordinance, building codes, electrical codes, plumbing codes and mechanical codes. All construction buildings, interim buildings and temporary buildings are required to meet all requirements of those same codes except as noted herein.



Section 3: Zoning Ordinance Requirements: All construction, interim and temporary buildings must meet all the requirements of the Zoning Ordinance except that no construction, interim or temporary building is required to obtain a building moving permit.

Section 4: Building Code Requirements: All construction, interim and temporary buildings must meet all the requirements of the Building Code currently adopted by the City of Conway except as stated herein:

Exceptions:

A: Construction buildings: Construction buildings may be constructed elsewhere and transported onto a parcel or lot from outside the City of Conway without the requirement for any structural inspections. Any construction building constructed on the lot on which it is to rest shall be inspected to meet all structural requirements unless otherwise excepted.

B: Interim and Temporary buildings: Interim and temporary buildings may be constructed elsewhere and transported onto a parcel or lot from outside the City of Conway without the requirement for any structural inspections. Any interim or temporary building constructed within the Conway city limits shall be inspected to meet all structural requirements unless otherwise excepted. Interim and temporary buildings which are tents and/or awnings are not required to meet those structural requirements.

C: Temporary buildings in place for no longer than seven (7) days: Temporary buildings in place for no longer than seven (7) days are not required to have foundations or tie downs to resist wind loads.

D: Temporary buildings in place for longer than seven (7) days but no longer than eleven (11) months: Temporary buildings in place for longer than seven (7) days but no longer than eleven (11) months are not required to have foundations, but must have tie downs sufficient to resist design wind loads as established by the Building Code.

E: Construction and Interim buildings: Construction and interim buildings are not required to have foundations, but must have tie downs sufficient to resist design wind loads as established by the Building Code.

Section 5: Electrical Code Requirements: All power supplies to construction, interim and temporary buildings shall be protected from vehicular traffic. All construction, interim and temporary buildings must meet all the requirements of the electrical code currently adopted by the City of Conway except as stated herein:

Exceptions:

A. Construction buildings: Construction buildings may be served from a temporary power pole.

B. Interim buildings: Interim buildings must be served by permanent power.

C. Temporary buildings in place for no longer than six months: Temporary buildings in place for no longer than six (6) months may be served from a temporary power pole.

D. Temporary buildings in place longer than six (6) months: Temporary buildings in place for longer than six (6) months must be served by permanent power.

Section 6: Health Department Requirements: All construction, interim and temporary buildings are required to meet all requirements of the State Health Department.

Section 7: Construction Building Permits: Construction buildings are not required to obtain building permits, but must meet all the requirements in this Ordinance and may be subject to inspection to insure compliance.

Section 8: Interim Building Permits: Interim buildings are required to obtain interim building permits prior to moving the building onto a parcel or lot. The procedures and fees for obtaining interim building permits will be the same as those for obtaining a building permit except as noted in this ordinance. The interim building permit will only be issued after the issuance of the building permit for the building that is to replace the interim building. The interim building permit will state the date the interim building is to depart the parcel or lot. The interim building is to leave the site no later than the end of the day noted on the permit. An interim building permit may be issued for a period of time up to and including six (6) months. The Mayor may grant an extension of that interim building permit for an additional six (6) months. The City Council may grant up to two six (6) month extensions of that interim building permit, providing they find unusual circumstances that justify the extension of the interim building permit. In no case will an interim building be allowed to continue in place for longer than two (2) years.

Section 9: Temporary Building Permits: Temporary buildings are required to obtain temporary building permits prior to moving the building onto a parcel or lot. The procedures and fees for obtaining temporary building permits will be the same as those for obtaining a building permit except as noted in this ordinance. The temporary building permit will state the date the temporary building is to depart the parcel or lot. The temporary building is to leave the site no later than the end of the day noted on the permit. A temporary building permit may be issued for a period of time up to and including six (6) months. The City Council may grant an extension of that temporary building permit for an additional five (5) months. In no case will a temporary building be allowed to continue in place for longer than eleven (11) months.

Section 10: Special Event Temporary Building Permits: The Mayor may grant Special Event Temporary Building Permits for events which are seven (7) or fewer days in length and which are community-wide events which bring benefits to the community as a whole. At the Mayor's discretion, no fees will be paid for those permits and the permits may be issued for temporary buildings which may be situated in the public right-of-way and/or which may not meet the Zoning Ordinance requirements for building setbacks. At the Mayor's discretion, a tent or awning, or in special circumstances, a building which exceeds the dimensional requirements of this ordinance, may be granted a Special Event Temporary Building Permit.

Section 11: Parking: In no instance, except for Special Event Temporary Building Permits, may the movement of a construction, interim or a temporary building onto a parking lot reduce the number of available parking spaces below the minimum required

for that building and for other buildings upon that same lot that are complete and ready for occupancy.

Section 12: Restrooms: All submissions for temporary building permits, but not for Special Event Temporary Building Permits, are required to be accompanied by a letter from the owner/agent of the primary building on the lot indicating that the employees of the temporary building may use the restroom facilities in the primary building. No temporary building permit may be issued without this letter.

Section 13: Violations and Penalties: A violation of this Ordinance shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of this Ordinance shall be fined not less than twenty dollars (\$20), nor more than one hundred (\$100) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Upon violation of this Ordinance, any electrical service to a construction, interim or temporary building or a Special Event temporary building may be ordered discontinued by the Mayor or his appointed agent.

If any construction, interim, temporary or Special Event temporary building is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, or land is used in violation of this Ordinance, the proper authorities of the City may institute appropriate legal action or other remedies to prevent the unlawful action.

Section 14: That Ordinance No. O-97-30 is hereby repealed in its entirety and any and all other ordinances in conflict herewith are repealed to the extent of the conflict.

Section 15: That this Ordinance is necessary for the protection of the public peace, health and safety, and 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 this 13th day of March, 2000.

APPROVED:



Mayor Tab Townsell

ATTEST:


City Clerk Michael O. Garrett

CERTIFICATE OF RECORD
Doc#2000- 6376

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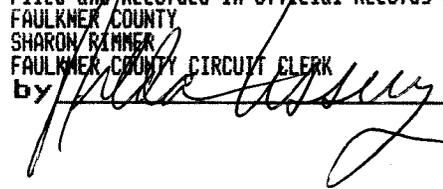
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