



STATE OF ARKANSAS
City of Brookland

ORDINANCE NO. 2015-34

AN ORDINANCE PROHIBITING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, AND REPAIR OF A HOUSE OR STRUCTURE WHICH REQUIRES A PERMIT BEFORE SAID PERMIT IS ISSUED BY THE CITY OF BROOKLAND, ARKANSAS; IMPOSING A PENALTY FOR VIOLATION OF THIS ORDINANCE; AND FOR AN EMERGENCY.

WHEREAS, Arkansas Code Annotated § 14-56-201 grants municipal corporations the power to regulate the erection, construction, reconstruction, alteration, and repair of buildings, houses and/or structures; and

WHEREAS, Arkansas Code Annotated § 14-56-202 authorizes each city of the first class enlarged and additional powers to regulate the building of houses and provide that no house or structure shall be erected within the city limits except upon a permit to be issued by such officer as the city council shall designate; and

WHEREAS, Arkansas Code Annotated § 14-56-202 authorizes each city of the first class enlarged and additional powers to provide that no permit shall be issued for the building of any house or structure deemed to be unsafe, unsanitary, obnoxious, or detrimental to the public welfare; and

WHEREAS, Arkansas Code Annotated § 14-55-601 authorizes the City of Brookland, Arkansas to enforce ordinances by the imposition of fines, forfeitures, and penalties on any person offending against or violating any ordinance; and

WHEREAS, Arkansas Code Annotated § 14-55-504 requires that no fine or penalty be greater than one thousand dollars (\$1,000) for any one (1) specified offense or violation, or said fine or penalty shall not exceed five hundred dollars (\$500) for each day that the violation continues; and

WHEREAS, the Brookland City Council wishes to impose a penalty on all those who commence to erect, construct, reconstruct, alter or repair any building, house or structure which requires a city building permit before said person and/or business obtains the required city permit.

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

Section 1. The City of Brookland, Arkansas hereby levies the following penalties to any person and/or business who commences work on the erection, construction, reconstruction, alteration, or repair of any building, house or structure which requires a permit from the City of Brookland prior to obtaining the required permit from the City of Brookland, Arkansas:

- A. The first offense in a calendar year shall be double the original permit fee;
- B. The second offense in a calendar year shall be double the original permit fee and a ten (10) day STOP WORK ORDER to the general contractor;

C. The third offense in a calendar year shall be double the original permit fee, a 10 day STOP WORK ORDER to the general contractor, and a \$500.00 per day fine for each day this ordinance is violated.

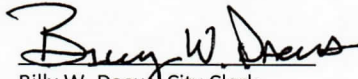
Section 2. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion is so declared or adjudged invalid or unconstitutional were not originally a part of this ordinance.

Section 3. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.


Section 4. Emergency Clause. Whereas, it is hereby found and determined that the penalty levied herein is necessary for the health, welfare and safety of the populace of Brookland to insure erection, construction, reconstruction, alteration, and repair of structures in the City of Brookland are safe and in accordance with code to guard against accidents and fire; therefore an emergency is hereby declared and this ordinance shall be in full force and effect on January 1, 2016.

Passed and adopted this 14th day of December, 2015.

ATTEST:


Billy W. Dacus, City Clerk




Kenneth D. Jones, Mayor

James H. Brown