

## **TITLE 11**

### **BUILDINGS AND CONSTRUCTION**

#### Chapters:

- 11.04 Health and Housing Standards
- 11.08 Condemned Structures
- 11.12 Building Permits
- 11.16 Energy Efficiency Standards
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### **CHAPTER 11.04**

#### **HEALTH AND HOUSING STANDARDS**

#### Sections:

- 11.04.01 General provisions
- 11.04.02 Adoption of standard codes
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- 11.04.05 Establishment of Building Commission and Building Board of Appeals;  
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- 11.04.08 Appeals
- 11.04.09 Enforcement, penalties for violation

#### 11.04.01 General provisions

- A. Title This ordinance shall be known as the "Building and Housing Code Ordinance of the city of Wynne, Arkansas".
- B. Purpose This ordinance is hereby declared to be preventative and remedial and shall be to protect the public health and safety by establishing minimum standards, including electrical, heating, plumbing, gas fittings and general construction; providing for the qualification and licensing of persons or firms engaged in building construction; and establishing minimum standards governing the condition and maintenance of all dwelling premises.

- C. Applicability The rules and regulations set forth in this ordinance shall apply to all dwellings and buildings within the corporation limits of the city of Wynne, Arkansas.
- D. Definitions In the interpretation and enforcement of this ordinance, all words shall have the meanings implied by their context or their ordinary accepted meanings as generally used in the building and construction fields. For the purpose of this ordinance, the abbreviations, terms phrases, and words as defined in the various codes hereby adopted shall apply. (Ord. No. 385, Art. I.)

#### 11.04.01 Adoption of standard codes

- A. That there is hereby adopted by the city of Wynne the current Arkansas Fire Prevention Code, Volume I, Volume II and Volume III as amended. That there is hereby adopted by the city of Wynne the current National Electrical Code, as amended, save and except such portions as amended below. That there is hereby adopted by the city of Wynne the current Arkansas Plumbing Code, as amended. That there is hereby adopted by the city of Wynne the current Arkansas Fuel Gas Code, as amended, save and except such portions as amended below. That there is hereby adopted by the city of Wynne the current Arkansas Mechanical Code, as amended. That there is hereby adopted by the city of Wynne the immediate implementation or revisions, amendments and additions to any one of or all of the above mentioned current codes. These rules and regulations are adopted in an attempt to ensure safe building, materials, mechanical and electrical installations including alterations, repairs, replacements, equipment, appliances, fixtures, fittings and appurtenances thereto, as to safeguard life, health and the public welfare.
- B. For the purpose of this ordinance, the Building Inspector, his or her assistants, or any individual assigned by the Mayor, shall be the "Administrative Authority" authorized to enforce the provisions of the stated codes.
- C. The aforementioned code shall be amended as follows regarding new construction and/or renovation to existing structures: The current National Electrical Code shall be amended for the purpose of this ordinance to require that all commercial installations in commercial zones shall be installed in metallic conduit and or metallic shielded wiring common in the industry.
- D. The aforementioned code shall be amended as follows regarding new construction and/or renovation to existing structures: The current Arkansas Fuel Gas Code shall be amended for the purpose of this ordinance to require that all gas fired appliances be hard piped to the outside of the unit exterior.

- E. Three (3) copies of these codes have been and are now on file in the office of the Clerk and/or Building Inspector of the city of Wynne, Arkansas, and the same are hereby adopted and incorporated, as amended, as if they were set out at length herein. From the date on which this ordinance shall take effect, the provisions of the aforementioned code shall be controlling in the construction of all buildings and other structures within the corporate limits of the city of Wynne, Arkansas, except as regulated by other ordinances of the city of Wynne Municipal Code.
- F. Penalty A.C.A. 15-55-102 empowers municipal corporations to adopt ordinances to provide for the safety, health, comfort and convenience of inhabitants of the city. Violations of any of the aforementioned codes shall be considered a violation of this ordinance, and shall be punishable by a fine up to Five Hundred Dollars (\$500.00) per day. (Amended Ord. No. 564, Secs. 1-6.)

Housing Code. The city of Wynne, Arkansas, hereby adopts by reference the rules and regulations of the Southern Building Code Congress for establishing minimum standards governing the use, occupancy, and maintenance of dwelling and accessory structures and supplied utilities and facilities, commonly known as the "Southern Standard Housing Code, 1969 edition."

Contractor's Code. The city of Wynne, Arkansas, hereby adopts by reference the current "Rules and Regulations of the Contractor's Licensing Board" promulgated pursuant to Act 150 of 1965, together with the "Arkansas State Licensing Law for Contractors". The requirements of this law shall be enforced in all contract construction work within the city, both public and private, when the cost of the work is Twenty Thousand Dollars (\$20,000) or more. Three (3) copies of each of the above referred to codes are on file in the office of the City Clerk, Wynne, Arkansas, and are available for inspection by the public. (Ord. No. 385, Art. 2)

#### 11.04.03 Enforcement of Fire Prevention Code

- A. Enforcement The Fire Prevention Code hereby adopted shall be enforced by the Chief of the Fire Department of the city of Wynne, Arkansas.
- B. Modifications The Chief of the Fire Department shall have 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 the way of 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 modifications when granted or allowed and the decision 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.

C. Establishment of limits of districts in which storage of explosives and blasting agents, storage of flammable liquids in outside above-ground tanks and bulk storage of liquefied petroleum gases is to be restricted The limits referred to in Section 53b of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, the limits referred to in Section 74a of the code hereby adopted in which storage of Class I liquids in outside above-ground tanks is prohibited and the limits referred to in Section 114 of the code hereby adopted in which bulk storage of liquefied petroleum gas is restricted are hereby established as follows:

1. The area designated by the municipality as the Central Business District.
2. Within one thousand five hundred (1,500) feet of any dwelling 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 liquefied petroleum gases having been located in such designated area prior to the adopting date of this ordinance; provided, however, that the Fire Chief shall inspect such facilities and issue a letter of "Modifications" as above set forth in Section 11.04.02 of this Article. (Ord. No. 385, Art. 3)

#### 11.04.04 Establishment of office of Building Inspector

- A. There is hereby created the position of Chief Building Inspector of this city who shall be appointed by the Mayor, with consent of the City Council, together with any assistants or deputies which may be required.
- B. The Building Inspector and his assistants, if any, shall devote full time to the duties of Building Department and shall not be connected in any business engaged in the construction fields or skills or the sale of building materials, fixtures and appliances, either directly or indirectly.
- C. The salary of the Building Inspector and his assistants shall be set by the Mayor and City Council payable at the time other officers of the city are paid.
- D. The Building Inspector shall have had at least ten (10) years experience in building construction, for five (5) years of which he shall have been in responsible charge of work.
- E. Duties
1. The Building Inspector shall be responsible for the administration of this ordinance, including the issuance and sale of all building permits and licenses, inspections, investigations and enforcement.

2. The Building Inspector shall keep or cause to be kept records of his office, including: List of licenses, bonds, records of inspections, permits, violations and notices and any other records required by the Mayor or the Building Commission and Board of Appeals.
3. The Building Inspector shall act as the chief enforcing and administering official of the Zoning laws of the city of Wynne, Arkansas, trailer ordinances, and any other ordinances or regulations as directed by the Mayor of the city of Wynne. He shall also refuse to issue any building permits for new construction when notified in writing by the City Planning Commission that the subdivision or land upon which the permit is sought is in violation of the Subdivision Regulations of the city of Wynne, Arkansas. (Ord. No. 385, Art. 4)

11.04.05 Establishment of Building Commission and Building Board of Appeals; examination and licensing of contractors

A. Definitions

**Contractor** is any person, firm, partnership, co-partnership, association, corporation or other organization, or any combination thereof, who for a fixed price, commission, fee or wage, attempts to or submits a bid to construct or contracts or undertakes to construct or assumes charge in a supervisory capacity or otherwise, of the construction, erection, alteration or repair or has or have constructed, erected, altered or repaired, under his, their or its direction, any building, highway, sewer, grading or any other improvements or structure.

**General contractor** is any contractor who engages in general construction work.

**Specialty contractor** is any contractor who engages in specialty work including, but not limited to, plumbing, gas fittings, electrical, refrigeration or other specialty building fields.

- B. Building Commission and Building Board of Appeals There is hereby created a Building Commission and Building Board of Appeals consisting of five (5) members who shall be appointed by the Mayor with the consent of the City Council. Each member shall be at least thirty (30) years of age, either a resident of the city of Wynne or maintain a place of business in the city, and a contractor of not less than five (5) years experience in the responsible charge of construction projects of magnitude consistent with the duties of his office. Two (2) members shall be general contractors and three (3) members specialized contractors or other persons engaged in the building industry. The members of the Board shall be appointed for one (1), two (2), three (3), four (4) and five (5) years respectively, their terms expiring on the thirty-first (31st) day of December of such year. Thereafter, in each year, the Mayor shall appoint with the consent of the City Council to fill the vacancy caused by expiration, for a term of five (5)

years. Each member shall hold over, after the expiration of his term, until his successor shall be duly appointed and qualified. If a vacancy shall occur in the Board for any cause, it shall be filled by appointment by the Mayor with the consent of the City Council. The Mayor may remove any member of the Board at any time for misconduct, incompetency or neglect of duty.

C.

1. The Board shall within thirty (30) days after its appointment and confirmation, meet at a time and place to be designated by the Mayor, and shall elect a Chairman and such other officers as it may require, each to serve in his respective capacity for one (1) year, and thereafter, such officers shall be elected by the Board annually. The Building Inspector shall act as Secretary of the Board and shall make a detailed record of all of its proceedings, which shall contain all decisions of the board, the reasons therefore, the members participating therein, and the vote of each member.
2. The Board shall have power to make such by-laws, rules and regulations for its operation as it shall consider appropriate, provided the same are not in conflict with any laws of the state of Arkansas, ordinances of the city of Wynne or the provisions of this code. The Board shall adopt a seal for its own use and shall have on it the words "Building Commission and Building Board of Appeals of the city of Wynne, Arkansas" and the Secretary shall have charge and custody thereof.
3. Within thirty (30) days after the Board has been organized, it shall meet for the purposes of receiving applications for certificates to engage in the business of contracting and for the transaction of such other business as may come before it, and thereafter, shall have three (3) regular meetings in each year, one in the month of April, one in the month of August and one in the month of December, for the purpose of transacting such business as may properly come before it, on call of the Chairman of the Board.
4. Special or adjourned meetings may be held at such times as the Board may provide. Due notice of each meeting and the time and place thereof shall be given to each member in such manner as the by-laws shall provide. Three (3) members of the Board shall constitute a quorum. All meetings of the Board shall be held in Wynne, Arkansas, and shall be open to the public.

- D. The Secretary shall keep a register of all applications for licenses showing for each the name, date of application, place of business, place of residence, qualifications and whether the license was granted or refused. The Secretary shall maintain a roster of all licensed contractors in the City of Wynne showing name,

place of business, and residence. On or before the first day of January of each year, the Board shall submit to the Mayor a report of its transactions for the preceding year.

- E. Each person member and/or employee of a partnership, firm or corporation desiring to engage in the contracting or construction business in Wynne, Arkansas, as heretofore defined, shall, before engaging in such business, apply to the Building Inspector for a license and pay the license fee as hereinafter prescribed. The application shall contain the following information: (a) experience, (b) ability, (c) character, (d) qualifications of persons on previous contracts, (e) financial condition, (f) equipment, and (g) any other facts tending to show ability and willingness to protect the public which may be required by the Building Inspector.
- F. The Building Inspector shall immediately submit all applications for contractor's licenses to the Building Commission, which shall meet not later than ten (10) days receipt of the application and examine each application submitted, and may, at its discretion, require a written or oral examination on the part of the applicant. The Board shall determine whether an applicant qualifies for the purpose of engaging in the contracting or construction business, as herein defined in Wynne, Arkansas, and shall either issue the license applied for or notify the applicant in writing that the application has been refused.
- G. The Board, in determining the qualifications of any applicant shall, among other things, consider the following: (a) experience, (b) ability, (c) character, (d) the manner of performance of previous contracts, (e) financial condition, (f) equipment, (g) any other facts tending to show ability and willingness to protect the public and (h) default in complying with the provisions of this ordinance or any other laws of the State of Arkansas. The Board shall have power to limit the license to the character of work for which the applicant is qualified. A record shall be made and preserved by the Board of each determination, and the findings of the Board and a certified copy of the record shall be furnished to any applicant desiring to appeal from the findings of the Board, as hereinafter provided.
- H. The license fees for contractors as set forth herein are in lieu of any existing franchise or privilege taxes, and shall constitute the only fee or tax for engaging in said business within the city of Wynne, Arkansas.
- I. All contractors licenses shall expire on the thirtieth (30<sup>th</sup>) day of June and all duly licensed contractors who apply for renewal of such license within thirty (30) days of the expiration thereof shall be granted a new license without further examination upon the payment of the license fee herein provided for; provided that the Building Commission may re-examine the licensee's qualifications when it has reason to believe that the conditions of the licensee has materially changed since the first application.

- J. Within the discretion of the Building Inspector, a temporary license may be issued to any applicant for the purpose of commencing and completing one (1) job only, but only in such cases where a substantial hardship would result to the contractor or applicant due to the time required for the Building Commission to act on the application.
- K. Exceptions to board examinations: A license shall be automatically granted and issued by the Building Inspector upon payment of the required fees, to contractors both general and specialty, without examination by the Building Commission, whenever the following qualifications are met:
1. Any person, firm, corporation or other organization which has been issued a current Certificate of License to engage in the business of contracting in the state of Arkansas pursuant to Act 150 of 1965 of the laws of the state of Arkansas.
  2. Any person, firm, corporation or other organization which has been issued a current Certificate of License to engage in the business of plumbing by the Arkansas State Board of Health as provided in Act 200 of 1951 of the state of Arkansas as amended.
  3. Any person, firm, corporation or other organization which has been issued a current Certificate of License engaging in the business of electrical contractor which either holds a master's electrician's license or employs a master electrician licensed by a recognized electrical examining board.
- L. Every person, firm or corporation who shall engage in the business of contracting, both general and specialty, shall execute a bond in the penal sum of One Thousand Dollars (\$1,000.00), approved by the City Attorney, to conform to the building regulations of this ordinance and other ordinances or laws of the city of Wynne, Arkansas, in reference to building construction, that he will indemnify and save harmless the city of Wynne, Arkansas, from all accidents and damage caused by negligence in protecting his work or by any inadequate work done by virtue of his license, that he will pay all fines, licenses, penalties and permits imposed on him for any violation of this ordinance or regulations promulgated pursuant thereto.
- M. The classification of the various fields of contracting and the amount of license to be paid shall be as follows:
1. General contractor A general contractor shall be permitted to perform all types of work for general construction, erection, alteration or repair both direct and supervisory, to any building or



other improvement or structure. This license shall also permit the contractor to engage in any of the specialty contraction fields for which it is competent but this license shall not permit any specialty subcontractor to work without license under the license of the general contractor. The amount which a general contractor shall pay for his license shall be determined by the valuation of the individual jobs which he undertakes according to the following formula:

- a. Class A - General contractors license The license shall cost One Hundred Dollars (\$100.00) and shall cover general contractors who, at any time during the term of the license, undertakes contracting work where the valuation exceeds the sum of Fifty Thousand Dollars (\$50,000.00).
- b. Class B - General contractors license The license shall cost Twenty-Five Dollars (\$25.00) and shall cover general contractors who, at any time during the term of the license, undertakes contracting work where the valuation is less than Fifty Thousand Dollars (\$50,000.00).

- 2. Specialty contractor A specialty contractor shall be permitted to engage in any specialty work in one or more specialty fields for which it is qualified and for which the license is issued. A license shall be required and may be issued for any one or more, or combination thereof, of the following specialty fields: plumbing, gas fitting, electrical and refrigeration, but only one license fee shall be paid by any specialty contractor regardless of the number of specialty fields for which it is licensed. The license fees shall be the same as for general contractors and be issued according to the same class and valuation formula.

- N. No license certificates issued by said Board shall be assignable or transferable. Any license issued may be suspended or revoked by the Board for any violation of the terms of this ordinance governing the installation or inspection of construction work, or any rules and regulations promulgated by the Board.

It shall be unlawful for any person, firm, partnership, or corporation licensed under this ordinance to do any construction work covered by this ordinance, after the expiration of the license issued, or after the revocation or suspension of such license or to perform any such work without a valid license from the city.

- O. Every person, firm or corporation licensed under this ordinance shall display such license in his or its place of business.

- P. The City Building Inspector is hereby prohibited to issue construction permits to any person, firm or corporation other than those licensed under this ordinance except in the event said person, firm or corporation has a permanent employee who is a licensed journeyman electrician to install or maintain electrical wires or apparatus in or upon their own premises.
- Q. Nothing in this ordinance shall be construed or interpreted as requiring a contractor's license of any firm or corporation or employee thereof engaged in the providing of utilities to the public.
- R. No person, member and/or employee of a partnership, firm or corporation shall engage in the contracting or construction business as herein defined, in Wynne, Arkansas, unless such person, firm or corporation shall have previously been duly licensed to engage in such business and said license shall have been issued by the Building Inspector or the Building Commission. (Ord. No. 385, Art. 5)

11.04.06 Permits - fees - inspections.

A. Application for permit

1. No person, firm or corporation shall erect, construct, enlarge, alter, move, improve, remove, convert or demolish any building or structure in the city of Wynne, Arkansas, or cause the same to be done, without first obtaining a separate building permit for such buildings or structures from the Building Inspector. Application for such permit or permits shall be made in writing upon forms to be provided by the Building Inspector plus any additional drawings or diagrams which may be required by the Building Inspector.
2. If the Building Inspector is satisfied that the work described in an application for permit and the drawings filed therewith conform to the requirements of this code and other pertinent laws and ordinances, he shall issue a permit therefore to the applicant.
3. If the applicant for a permit and the drawings filed therewith described work which does not conform to the requirements of this code or other pertinent laws or ordinances, the Building Inspector shall not issue a permit, but shall return the drawings to the applicant with his refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons therefore.

- B. Conditions of the permit The Building Inspector shall act upon an application for a permit with plans as filed, or as amended, without unreasonable or unnecessary delay. A permit issued shall be construed to be a license to

proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this ordinance. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced; provided, that for cause, one or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed in writing by the Building Inspector.

- C. Drawings to be kept at site When the Building Inspector issues a permit, he shall endorse, in writing, or stamp, both sets of plans "Approved". One set of drawings so approved shall be retained by the Building Inspector and the other set shall be returned to the applicant. The approved drawings shall be kept at the site of work and shall be open to inspection by the Building Inspector.
- D. Permits issued upon affidavits The Building Inspector may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the laws as to egress, type of construction and general arrangement and if accompanied by drawing showing the structural design and by a statement that the plans and design conform to the requirements of this ordinance as to strength, stresses, strains, loads and stability, he may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the Building Inspector, on the completion of the structure, a certification that the structure has been erected in accordance with the requirements of this ordinance. Where the Building Inspector relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of this code and/or other pertinent laws or ordinances.
- E. Conformance to zoning and subdivision regulations No permit shall be given by the Building Inspector for the construction, alteration or addition to any building where such construction will violate the provisions of the zoning laws of the subdivision regulation of the city of Wynne, Arkansas.
- F. Types of permits required A separate permit shall be required for the general construction, alteration or addition of any building, a separate permit shall be required for electrical work, a separate permit shall be required for plumbing and gas fitting, and a separate permit shall be required for refrigeration (air conditioning). No permit shall be required for masonry, painters and other specialty contractors not specifically named herein but shall in no way exempt these specialty contractors from obtaining a license to engage in their specialty fields.

- G. Schedule of permit fees Schedule of Permit Fees on all buildings, structures or alterations requiring a building permit as set forth above, a fee shall be paid as required at the time of filing application, in accordance with the following schedule:

**Commercial Building**

0 to \$100.00	\$10.00
101.00 to 1,000.00	30.00
1,000.00 to 2,000.00	40.00
2,001.00 to 3,000.00	50.00
3,001.00 to 5,000.00	70.00
5,001.00 to 10,000.00	140.00
10,001.00 to 15,000.00	180.00
15,001.00 to 20,000.00	200.00
20,001.00 to 30,000.00	240.00
30,001.00 to 40,000.00	280.00
40,001.00 to 50,000.00	310.00
50,001.00 to 75,000.00	350.00
75,001.00 to 100,000.00	400.00
100,001.00 to 150,000.00	450.00
150,001.00 to 200,000.00	500.00

\$500.00 for the first \$200.00.00 plus \$1.00 for each additional thousand or fraction thereof. Inspection fee is \$10.00 per inspection to include all inspections.

**Residential buildings**

New construction: Fifteen Cents (\$.15) per square footage for all area under roof, including garage, porches, etc.

Storage and outside buildings: Twenty-Five Dollars (\$25.00) minimum plus Ten Cents (\$.10) for each square foot over one hundred forty (140) square feet.

Mobile homes: Thirty-five dollars (\$35.00) plus all mechanical fees.

Addition to residence: Ten Cents (\$.10) per square foot, with a minimum fee of Thirty Dollars (\$30.00).

Manufactured homes: Permit fee for the setting of a manufactured home on a private lot: Fifteen Cents (\$0.15) per square foot for all area under roof and include on the minimum electrical permit fee of Twenty Dollars (\$20.00), the minimum gas piping fee of Twenty-Five

Dollars (\$25.00), foundation inspection fee of Ten Dollars (\$10.00), electrical inspection fee of Ten Dollars (\$10.00) and gas piping inspection fee of Ten Dollars (\$10.00). (Amendment to Ord. No. 551, Sec. 1.)

**Mechanical permits** Heating and air conditioning: A flat fee of Twenty-Five Dollars (\$25.00) for a heating unit and a flat fee of Twenty-Five Dollars (\$25.00) for an air conditioning unit.

**Plumbing** A minimum fee of Twenty-Five Dollars (\$25.00) plus One Dollar (\$1.00) per fixture.

**Gas Piping** A minimum fee of Twenty-Five Dollars (\$25.00) plus One Dollar (\$1.00) per fixture.

**Electrical circuits** A minimum fee of Twenty Dollars (\$20.00) plus One Dollar (\$1.00) per circuit after 20 circuits. (Ord. No. 551, Sec. 1.)

**Moving of building or structures** For the moving of any building or structure, the fee shall be Twenty Cents (\$0.20) per square foot of area under roof. (Amending Ord. No. 385.)

**Demolition of building or structures** For the demolition of any building or structure, the fee shall be Twenty-Five Dollars (\$25.00). (Amending Ord. No. 385.)

H. Building permit valuations If, in the opinion of the Building Inspector, the valuation of building, alteration or structure appears to be underestimated on the application, permit shall be denied unless the applicant can show detailed estimated cost to meet the approval of the Building Inspector. Permit valuations shall include total cost, such as plumbing, electrical, mechanical equipment and other systems.

I. Inspections

1. The Building Inspector shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building or structure upon completion, prior to the issuance of a Final Certificate.
2. Work requiring a building permit shall not be commenced until the permit holder of his agent shall have posted the building permit card in a conspicuous place on the front of the premises. The permit shall be protected from the weather and in such position as to permit the Building Inspector to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit holder until the Final Certificate has been issued by the Building Inspector.

3. The Building Inspector upon notification from the permit holder or his agent shall make the following inspections of buildings and such other inspections as may be necessary and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the law:
  - a. Foundation inspection To be made after trenches are excavated and forms erected.
  - b. Frame inspection To be made after the roof, all framing, fire-blocking and bracing is in place and all pipes, chimneys, and vents are complete.
  - c. Rough electrical inspection To be made before any interior electrical wiring or wiring conduits may be concealed from view. If no inspection is made within forty-eight (48) hours from the receipt of notice by the Building Inspector from the electrical contractor or his agent, that said work is ready for inspection, then no inspection shall be required.
  - d. Rough plumbing inspection To be made when all plumbing, drainage, water piping or gas piping is in place but uncovered, with water pressure on the entire system so that a water test can be applied to all drainage and vent piping as required in the State Plumbing Code.
  - e. Final inspection To be made after the building is completed and ready for occupancy. An additional fee of Five Dollars (\$5.00) each shall be required and collected by the Building Inspector for each subsequent inspection for any of the foregoing inspections.
  - f. All houses and buildings built in the city of Wynne, the low floor elevation of that building will be at ½ foot higher than the centerline of the street or the curbside elevation, whichever is highest. If the owner of the building has concerns about this they can prepare a drainage plan for the property and submit it to the City Engineer for his discussion and approval.(Ord.No.710,Sec. 1.)
4. No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Inspector. Such written approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the foregoing five (5) inspections. (Ord. No. 385, Art. 6 as amended by Ord. No. 455, Sec. 1)

#### 11.04.07 Housing violations and demolition of unfit buildings.

##### 1. Inspection; Notice; Access to Premises.

The Building Inspector, with the consent of the occupant, is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units and premises located within the city, in order that he may perform his duty in enforcing the terms and provisions of this chapter; provided that if consent not be granted, the Building Inspector shall give the occupant advance written notice of not less than five (5) days prior to inspection. Such notice shall be by registered mail and shall specify an exact hour and date of the proposed inspection which shall be reasonable as to time of day and day of week; and further provided that if consent not be granted, the Building Inspector shall be required to obtain a warrant before entry and inspection. Every occupant of a dwelling or dwelling unit or premises shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit or its premises, at all reasonable times for the purpose of making such repairs and alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

##### 2. Notice of Violation.

Whenever the Building Inspector determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance, he shall give a first or original notice of such alleged violation to the person or persons responsible therefor as hereinafter provided. Such notice shall:

- (a) Be put in writing.
- (b) Include a statement of the reason why it is being issued;
- (c) State a specific time for the performance of any act it requires and such time shall be reasonable;
- (d) Be served upon the owner or if he cannot be found, upon his agent; if neither can be found, a copy thereof shall be sent by registered mail to their last known address or he may be served with such notice by any other method authorized or required under the laws of this state. Such notice shall contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this ordinance.

### 3. Petition For Hearing; Conduct of Hearing.

Any person affected by any first or original notice which has been issued in connection with the enforcement by and provision of this ordinance and who has failed or refused to comply therewith shall be given a final notice and may request and shall be granted a public hearing on the matter before the Building Inspector, provided that such person shall file in the office of the City Clerk a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten (10) days after the date the final notice was served. Upon receipt of such petition, the Building Inspector shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and the burden of proof shall be upon the city. The hearing shall be commenced not less than ten (10) days after the day on which the petition was filed; provided that upon application of the petitioner, the Building Inspector may postpone the date of the hearing for a reasonable time beyond such ten (10) day period, if in his judgment, the petitioner has submitted a good and sufficient reason for such postponement.

### 4. Judgment of Enforcing Official.

After such hearing, the Building Inspector shall sustain, modify, or withdraw the notice depending upon his finding as to whether the provisions of this ordinance have been complied with. If the Building Inspector sustains or modifies such notice, it shall be deemed to be an order. Any final notice served pursuant to this ordinance shall automatically become an order if a written petition for a hearing is not filed in the office of the City Clerk within ten (10) days after such notice is served.

### 5. Transcript of Proceedings Recorded; Appeals, Supersedeas.

The proceedings at such hearings, including the findings and decision of the Building Inspector shall be summarized, reduced to writing and entered as a matter of public record in the office of the City Clerk. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision or order of the Building Inspector at the conclusion of such hearing may appeal from said decision or order by filing a written appeal with the Building Board of Appeals not later than thirty (30) days from the date of said order or decision. And any interested person who is not satisfied with the decision or order of the Building Board of Appeals may seek relief therefrom by the filing of the proper suit in a court of competent jurisdiction within thirty (30) days from the date of said decision or order of the Building Board of Appeals. Such appeals and suits shall be tried de novo on the facts and the law, and the burden of proof shall continue to be upon the city, and the order of the Building Inspector shall be automatically stayed.



## 6. Designation and Condemnation of Unfit Dwellings.

The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the provisions of this article.

## 7. Designation and Demolition.

Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Building Inspector as follows:

(a) One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(b) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(c) Any dwelling or dwelling unit condemned as unfit for human habitation and so designated and placarded by the Building Inspector shall be vacated within a reasonable time as ordered by the enforcing official.

(d) No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the Building Inspector. The Building Inspector shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

(e) No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such except as provided in subsection (c).

(f) Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may require and shall be granted a hearing on the matter before the Building Inspector.

(g) If after notice and hearing, the Building Inspector determines that a dwelling or dwelling unit is in such condition that it is dangerous or injurious to the health and safety of the public, the occupants of the neighboring dwellings or dwelling units, he shall issue and cause to be served upon the owner an order requiring him to repair, alter or improve the dwelling unit to the extent and within a reasonable time to be specified in the order or, at the option of the owner, to remove or demolish the dwelling or dwelling unit. Subject to the rights of appeal to the Building Board of Appeals and a court of competent jurisdiction, all as provided herein, if the owner fails to comply with an order to remove or demolish the dwelling or dwelling

unit within the time prescribed and if authorized by an ordinance passed by the City Council, which ordinance shall specify the time within the occupant or occupants must vacate the premises to be demolished or removed, the Building Inspector may have the dwelling or dwelling unit removed or demolished provided any and all holders of mortgages and other liens of record have been notified. For the purpose of this provision, fifty (50%) percent of the fair market value of the structure, as shown in the records of the county assessor, is fixed as being reasonable cost.

8. Lien For cost of Demolition - Sale of Materials.

To secure the payment of the cost of removal or demolition of said real estate there is hereby created a lien against the said real estate in favor of the City of Wynne. If the dwelling or dwelling unit is removed or demolished by the Building Inspector, he must sell the materials at a public sale. He shall credit the proceeds of that sale against the cost of the removal or demolition.

9. Enforcement of Lien.

When such demolition or removal has been completed, the Building Inspector shall cause a statement to be filed with the Circuit Court of Cross County, Arkansas, showing the cost and expense of such work and the amount of money due and owing to the City of Wynne, a brief description sufficient to identify the property removed, and the name of the owner thereof. From the date of filing, the amount shown by such statement to be due and owing to the city together with five (5%) percentum interest thereon from the date of completion of such work shall be a lien on said property. A suit may be instituted for recovery and foreclosure of the lien for any such amount and interest may be had in the name of the city in any court having jurisdiction.

10. Authority to Act On Nuisances.

Nothing in this ordinance shall be deemed to abolish or impair any existing remedies of the city or its officers or agencies relating to the removal or abatement of nuisances or to the removal or demolition of any buildings which are deemed to be dangerous, unsafe or unsanitary.

11. Applicability of Building Code.

Whenever the provisions of this Article require the construction, installation, alteration, or repair of a dwelling or dwelling unit, or of its facilities, utilities or equipment, the required work shall be done in full compliance with the applicable provisions of this ordinance pertaining to Building Codes.

## 12. Conflict of Ordinances.

In any case where a provision of this ordinance requires an action to be taken which is prohibited except when done in a certain manner by the provisions of any zoning, building, fire, safety, health or other ordinances or code or regulation of the city, the provision of this ordinance shall be inoperative. (Ord. No. 385, Art. 7)

### 11.04.08 Appeals.

#### 1. Time Limit.

(a) Whenever the Building Inspector shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used in the erection or alteration of a building or structure, or when it is claimed that the provisions of this ordinance do not apply or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this ordinance or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Building Inspector to the Building Board of Appeals. Notice of appeal shall be in writing and filed within ninety (90) days after the decision is rendered by the Building Inspector. A fee of Ten Dollars (\$10.00) shall accompany such notice of appeal.

(b) Whenever the Building Inspector shall reject or refuse to license any contractor, general or special, or when it's claimed that the Building Inspector has wrongly interpreted this ordinance pertaining to the licensing of contractors, the contractor or his duly authorized agent, may appeal from the decision of the Building Inspector to the Building Board of Appeals by filing a notice of appeal in writing with the Building Inspector, together with a fee of Ten Dollars (\$10.00) within ninety (90) days after the rejection of the application for license.

(c) Whenever the Chief of the Fire Department shall disapprove any application or refuse to grant a permit applied for under the Fire Prevention Code or when it is claimed that the provisions of the Code do not apply, or that the true intent and meaning of the Code has been misconstrued or wrongfully interpreted, the owner of such building or structure or his duly authorized agent, may appeal from the decision of the Chief of the Fire Department to the Building Board of Appeals. Notice of appeal shall be in writing not filed within ninety (90) days after the decision is rendered by the Chief of the Fire Department. A fee of Ten Dollars (\$10.00) shall accompany such notice of appeal.

#### 2. Decision of the Building Board of Appeals.

(a) The Building Board of Appeals when so appealed to and after a hearing, may vary the application of any provision of this ordinance to any particular case when in its opinion, the enforcement thereof

would do manifest injustice and would be contrary to the spirit and purpose of this ordinance or public interest or when, in its opinion, the interpretation of the Building Inspector should be modified or reversed.

(b) A decision of the Building Board of Appeals to vary the application of any provision of this ordinance or to modify an order of the Building Inspector shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefor.

(c) Every decision of the Building Board of Appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Inspector, and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant.

(d) The Building Board of Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

(e) If a decision of the Building Board of Appeals reverses or modifies a refusal, order, or disallowance of the Building Inspector, or varies the application of any provision of this ordinance, the Building Inspector shall immediately take action in accordance with such decision.

(f) The City Attorney shall be consulted by the Building Board of Appeals in all of its decisions, particularly its findings on appeal, to determine whether or not its decisions are made pursuant to this ordinance and the rights at law of the appellant. The Building Board of Appeals may, at its discretion, authorize the payment of a reasonable attorney's fee to the City Attorney for services rendered to the Board in connection with the application, interpretation and enforcement of this ordinance. (Ord. No. 385, Art. 8)

#### 11.04.09 Enforcement; penalties for violation.

##### 1. Penalties and Fines.

Any person, firm, corporation or agent who shall violate a provision of this ordinance, or fail to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure or who has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved thereunder, shall be guilty of a misdemeanor, and any contractor who fails to obtain a license as provided herein shall also be deemed guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed or continued and upon conviction of any such violation, such person shall be fined not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00) for each violation.

## 2. Enforcement By Utility Connections.

It shall be unlawful for any utility company franchised and doing business within the City of Wynne, Arkansas, whether public, private or municipal, or for any other person, firm or corporation to install or contract any utility service, whether gas, electric, water or sewer, to any premises or property situated within the city limits of Wynne, Arkansas, unless the owner or owners of said property or premises, the Contractor or the Building Inspector in the case of new construction, whichever the case may be, first displays and makes available to the duly authorized representative of any utility company, the necessary permits required by this ordinance. A notice of any violations shall be mailed to the agent in Wynne, Arkansas, for any of the utility companies specified herein, and upon receipt of said notice, it shall be unlawful for said utility company or companies to proceed further in the connection or installation of service or to continue providing service until such time as a new permit is issued. Any violation shall be deemed a misdemeanor and upon conviction, any utility company shall be fined in any amount not to exceed Twenty-Five Dollars (\$25.00) for each offense; and each day such violation shall be permitted to exist shall constitute a separate offense. Continued abuses or failure to observe the requirements of this ordinance by any franchised utility company shall also be grounds for the City Council to revoke or refuse to renew such franchises. (Ord. No. 385, Art. 9)

### Chapter 11.08

#### CONDEMNED STRUCTURES

##### Sections:

11.08.01	Unlawful
11.08.02	Condemnation required
11.08.03	Description of property, reason for condemnation
11.08.04	Notice
11.08.05	Removal
11.08.06	Duties of Building Inspector
11.08.07	Proceeds of sale
11.08.08	Enforcement of lien
11.08.09	Penalty
11.08.10	Judicial condemnation, penalty, previous sections applicable

11.08.01 Unlawful. 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 Wynne, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by resolution of the City Council.

11.08.02 Condemnation required. That 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 insure the removal thereof as herein provided.

11.08.03 Description of property, reason for condemnation. That the resolution of the City Council condemning any house, building and/or structure which constitutes a nuisance will include in said resolution an adequate description of the house, building and/or structure, the name or names, if known, of the owner or owners thereof and shall set forth the reason or reasons said house, building and/or structure is or has been condemned as a nuisance.

11.08.04 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 will be mailed to the owner or owners thereof, if the whereabouts of said owner or owners there 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 be unknown, the posting of the copy of said resolution as hereinabove provided will suffice as notice.

11.08.05 Removal. If the house, building and/or structure constituting a nuisance has not been torn down and removed or said nuisance otherwise abated within thirty (30) days after posting the true copy of the resolution at a conspicuous place on said house, building and/or structure constituting the nuisance, it will be torn down and/or removed by the Building Inspector or his duly designated representative.

11.08.06 Duties of Building Inspector. The Building Inspector or any other person or persons designated by him to tear down 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.

11.08.07 Proceeds of sale. 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 Clerk. 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 Clerk to the former owner or owners of such house, building and/or structure constituting the nuisance.

11.08.08 Enforcement of lien. If the city has any net costs in removal of any house, building and/or structure, the city shall have a lien on the property as provided by Section I of Act 8 of 1983. 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 governing body of the municipality 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 county wherein the said property is located for one (1) insertion per week for four (4) consecutive weeks, the determination of said governing body being subject to appeal by the property owner in the Chancery Court, and the amount so determined at said hearing, plus ten percentum (10%) penalty for collection, shall be by the governing body of the municipality certified to the tax collector of the 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 percentum (3%) thereof, when so collected shall be paid to the municipality by the county tax collector.

11.08.09 Penalty. A fine of Fifty Dollars (\$50.00) 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 Fifty Dollars (\$50.00) for each said separate and distinct offense, provided the notice as herein provided in Section 11.24.04 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.

11.08.10 Judicial condemnation, penalty, previous sections applicable. 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 Fifty Dollars (\$50.00) 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 Fifty Dollars (\$50.00) 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 Building Inspector or other person or persons referred to in Section 11.24.05 of this ordinance will take such action as provided in Section 11.24.06 hereof, and Section 11.24.07 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.

## Chapter 11.12

### BUILDING PERMITS

#### Sections:

11.12.01	Required
11.12.02	Displayed
11.12.03	Notice of noncompliance
11.12.04	Penalty

11.12.01 Required. It shall be unlawful for any utility company franchised and doing business within the City of Wynne, Arkansas, whether public, private or municipal or for any other person, firm or corporation to install or contact any utility service, whether gas, electric, water or sewer, to any premises or property situated within the City limits of Wynne, Arkansas, unless the owner or owners of said property or premises, the Contractor or the Building Inspector in the case of new construction, whichever the case may be, first displays and makes available to the duly authorized representative of any utility company, the necessary permits required by law under the ordinances now in force and effect for the City of Wynne, Arkansas. (Ord. No. 331, Sec. 1)

11.12.02 Displayed. In the case of new construction, before any utilities may be installed or connected, the owner or contractor must display a building permit placard stating further the date of building approval and the permit number. (Ord. No. 331, Sec. 2)



**11.12.03 Notice of noncompliance.** In the event the building, plumber, electrical, gas or sewer inspector of the city of Wynne, Arkansas, should later determine that the owner, lease or contractor of any building, property or premises has not or is not conforming to the building codes, subdivision regulations, zoning restrictions or other ordinances of the city of Wynne, he shall post written notice on the premises, said notice ordering the immediate cessation of construction or further improvement. The notice shall set forth in general terms the name of the owner of the property as shown on the tax assessment records of Cross County, Arkansas, the date of the order, a brief statement describing the discrepancy and shall be signed by the Mayor, the Building Inspector or other duly authorized city official. A copy of said notice shall be mailed to the agent in Wynne, Arkansas, for any of the utility companies specified in Section 11.12.01 and upon receipt of said notice, it shall be unlawful for said utility company or companies to proceed further in the connection or installation of service or to continue providing service until such time as a new permit is issued. (Ord. No. 331, Sec. 3)

**11.12.04 Penalty.** Any violation of any part of this ordinance shall be deemed a misdemeanor and upon conviction, any persons, firm or corporation, including a utility company, building contractor or property owner, shall be fined in any amount not to exceed Twenty-Five Dollars (\$25.00) for each offense; and each day such violation shall be permitted to exist shall constitute a separate offense. Continued abuses or failure to observe the requirements of this ordinance by any franchised utility company shall also be grounds for the City Council to revoke or refuse to renew such franchises. (Ord. No. 331, Sec. 4)

## **CHAPTER 11.16**

### **ENERGY EFFICIENCY STANDARDS**

#### **Sections:**

#### **11.16.01      Adopted**

**11.16.01 Adopted.** The City Council hereby finds that it is in the best interests of the citizens of Wynne to formally adopt the 1979 ARKANSAS RULES AND REGULATIONS FOR ENERGY EFFICIENCY STANDARDS FOR NEW BUILDING CONSTRUCTION, as adopted by the Arkansas Department of Energy.

**CHAPTER 11.20****STORM WATER POLICY****Sections:**

11.20.01	Created
11.20.02	Developed plan
11.20.03	Notice of Intent
11.20.04	Approval
11.20.05	Penalty

**11.20.01 Created** There is hereby created a Storm Water Policy for the city of Wynne, Arkansas, for the purpose of preventing mud, silt, leaves, sticks and other such debris from entering into the streets, storm water drainage facilities, ditches and private property in the city of Wynne, Arkansas. (Ord. No. 655, Sec. 1.)

**11.20.02 Developed plan** A Storm Water Retention Plan must be developed and submitted to the city in order to obtain a building permit for any activity including but not limited to building construction, landscaping, underground utility installation, or such activities that result in the discharge of undesirable material in storm water runoff. (Ord. No.655, Sec. 2.)

**11.20.03 Notice of Intent** The Plan shall be in accordance with Notice of Intent for Dischargers of Storm Water Runoff Associated with Construction Activity authorized under NPDES General Permit ARR 10,A000, administered by Arkansas Department of Environment quality, NPDES Branch, Water Division, P.O. Box 8913, Little Rock, Arkansas 72219, 501-682-2199. (Ord. No. 655, Sec. 3.)

**11.20.04 Approval** The Storm Water Retention Plan must be submitted to the Building Inspector or the Street Department for their joint approval prior to the issuance of a building permit. (Ord. No. 655, Sec. 4.)

**11.20.05 Penalty** the penalty for failure to comply with the Storm Water Policy will be the cost to the city of Wynne for clean-up and damages as a result of such non-compliance. (Ord. No. 655, Sec. 5.)

**CHAPTER 11.24****ENERGY CODE****Sections:****11.24.01      Adoption**

**11.24.01 Adoption** There is hereby adopted by the City Council of Wynne, 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 have been and now are filed in the office of the Clerk or Recorder of the city of Wynne, 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 Wynne, Arkansas. (Ord. No. 756, Sec. 1.)