ORDINANCE NO: 40-14

AN ORDINANCE FOR THE PURPOSE OF ADOPTING THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE KNOWN AS THE 2012 ARKANSAS FIRE PREVENTION CODE VOLUME II AND OTHER PROVISIONS RELATING THERETO

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: Section 6-26 of the Fort Smith Municipal Code is amended to read as follows:

There is hereby adopted by the Board of Directors 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 International Building Code being particularly the 2012 edition of the Arkansas Fire Prevention Code Volume II of such code and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been incorporated as fully as if set out at length herein; and the provisions thereof shall be controlling within the city.

SECTION 2: Section 6-27 of the Fort Smith Municipal Code is amended to read as follows:

The code adopted by this article is amended and changed in the following respects:

(4) Section 109.4 is amended to read as follows:

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing before obtaining the necessary permits shall be subject to a penalty of 100% of the usual permit fee in addition to the required permit fee.

(6) Section 3408.2 is mended to read as follows:

A certificate of occupancy for an existing building will be required only when a change of occupancy shall be made in a building, and a building permit required. "Occupancy" is defined as the purpose for which a building, or part thereof, is used or intended to be used. Change of ownership does not necessarily indicate change of occupancy. A certificate of occupancy for any existing building may be obtained by applying to the building official and supplying the information and data necessary to determine compliance with this code, for the occupancy intended. Where necessary, in the opinion of the building official, two sets of detailed

drawings, or a general inspection, or both, may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of this code for such occupancy, a certificate of occupancy shall be issued.

(7) Appendix D is adopted:

(8) Delete Appendixes A, B, C, E, F, G, H, I, J, K, L and M.

SECTION 3: Effective Date:

The ordinance shall be effective commencing September 2, 2014.

PASSED AND APPROVED THIS 5th **DAY OF** August**, 2014.**

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

Publish One Time