

ORDINANCE NO. 01-20

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 03-18 TO ELIMINATE NEED FOR BUILDING PERMIT FOR REGULAR MAINTENANCE; AND FOR OTHER PURPOSES

WHEREAS, the Bergman Town Council has been asked by citizens to consider changes to the Ordinance 03-18, which is the Town of Bergman's Ordinance Requiring Building Permits; and

WHEREAS, the Bergman Town Council, after consideration, has determined that it is in the best interest of the citizens of the Town of Bergman that Ordinance 03-18 be amended to allow citizens to perform regular maintenance on existing structures without applying for any building or occupancy permit; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BERGMAN, ARKANSAS:

Section 1:

THEREFORE, Ordinance 03-18, Section 2.- Construction Without Building Permit Unlawful., is hereby amended as follows:

"Section 2. - Construction Without Building Permit Unlawful.

It shall be unlawful for any person to construct or to place any new building or structure of any type or to allow construction or placement of any building or structure of any type on land owned by said person within the corporate limits of Bergman, Arkansas, without first applying for and obtaining a building permit. If any person constructs or allows construction or placement of any building or structure of any type on or within the corporate limits of Bergman, Arkansas, prior

to the issuance of a building permit, the person, owner or agent will be subject to penalties outlined below. For the purposes of this Ordinance, any construction, repair or remodel which adds additional square footage to any existing building or structure shall require the issuance of a building permit.

The owner of any land situated in the incorporated limits of the Town of Bergman shall neither remodel nor repair any building or structure, on such land, without first obtaining a building permit from the Town of Bergman for such remodel or repair. The terms remodel and repair, as used herein, shall not include any remodel or repair for which the total cost is less than \$1,000.00, or any remodel or repairs that are completed as part of regular maintenance on a home, or any cosmetic repairs such as repairing or replacing exterior siding, roofing, windows, facial boards, porches, or decks. The terms remodel and repair shall also not include interior cosmetic repairs, including painting, installing flooring materials, installing or repairing cabinetry, countertops, fixtures, appliances or accessories. The terms remodel and repair do include all repairs to structural elements of the building, to the home's electrical system, or to the home's plumbing system. If any person remodels or repairs any building or structure of any type on or within the corporate limits of Bergman, Arkansas, prior to the issuance of a building permit, the person, owner or agent will be subject to the penalties outlined below."

Section 2. Effective Time:

This ordinance shall take effect immediately upon its passage.

Section 3. Conflicts of Law:

Any ordinance or part of any ordinance in conflict with this ordinance shall hereby be repealed and replaced or shall be held null and void.

Section 4. Severability:

The provisions of this Ordinance are hereby declared to be severable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of the Ordinance.

Section 5. EMERGENCY CLAUSE:

It is determined by the Town Council that the adoption of this Ordinance is immediately necessary to protect the interests of Bergman citizens, and an emergency is hereby declared and this ordinance shall be in full force and effect from and after passage and publication.

PASSED AND ADOPTED this the ____ day of February, 2020.

TOWN OF BERGMAN, ARKANSAS

BY: _____
DANNY FARMER, MAYOR

ATTEST:

DONIA COOK, CLERK AND RECORDER