

ORDINANCE NUMBER: 10-06

**AN ORDINANCE ADOPTING THE ARKANSAS FIRE PREVENTION CODE
AND THE GOVERNING AUTHORITY FOR DIAMOND CITY, ARKANSAS.**

BE IT ORDAINED BY THE CITY COUNCIL OF DIAMOND CITY, ARKANSAS:

**Section 1: ADOPTION OF THE ARKANSAS FIRE PREVENTION
CODE.**

WHEREAS, the City of Diamond City hereby adopts the Arkansas Fire Prevention Code, or current edition, as the governing authority for building purposes.

Section 2: ADOPTION OF THE BUREAU OF FIRE PREVENTION.

WHEREAS, The Arkansas Fire Prevention Code shall be enforced by the Bureau of Code Enforcement of the City of Diamond City, Arkansas, which is hereby established and which shall be operated under the supervision of the Mayor of the City of Diamond City.

The Mayor of the City of Diamond City, may appoint qualified persons as inspectors that shall enforce the Arkansas Fire Prevention Code.

Section 3: PENALTIES:

WHEREAS, Any person who shall violate any of the provisions of the Fire Prevention Code hereby adopted or fails to comply with said provisions, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation with any detailed statement or specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by any inspector working under the authority of the Mayor or be in any court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine on not less than Twenty-Five Dollars (\$25.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment for not less than One (1) day and not more than Thirty (30) days or both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations, or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offence.

Section 4: APPEALS

WHEREAS, Whenever any inspector, working under the authority of the Mayor, shall disapprove and/or refuse an extension for repairs, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Mayor's authorized inspector, to the Diamond City Council within thirty days from the date of the decision appealed.

Section 5: Adoption and Replacement

Therefore, the adoption of this ordinance shall replace any ordinance that is in conflict in part or in whole.

Section 6: Invalidity

If any part of this ordinance is found to be invalid by a court of competent jurisdiction, that invalidity shall in no wise affect any other parts that are valid.

Passed: 10-16-2006 Yeas 6 Nays
Date

ATTEST: Sandra J. Bearer Recorder APPROVED: Tracy Burke Mayor