

ORDINANCE NO. 823

**AN ORDINANCE AMENDING CHAPTER 7 OF MONTICELLO CITY CODE,
CONCERNING BUILDING: REGULATIONS (ORDINANCE NO. 526); TO
ESTABLISH AN OCCUPANCY PERMIT PROCESS; AND ESTABLISHING
REQUIREMENTS RELATED THERETO.**

BE IT ORDAINED by the City Council of the City of Monticello, Arkansas, that Chapter 7 of Monticello City Code, concerning building regulations (Ordinance No. 526), is amended to read as follows:

"ARTICLE V. OCCUPANCY PERMITS

Sec. 7-70. When required.

(1) No building or structure, including manufactured homes, situated within the corporate limits of the city of Monticello or it's Planning jurisdictions, for which a building permit has been issued after May 1, 2014 shall be used or occupied unless an occupancy permit for such shall have been issued by the City of Monticello stating that the structure or use complies with all regulations of the city. Buildings, or structures may be Used or occupied only for the use shown on the occupancy permit.

(2) No occupancy permit shall be granted for any building or structure under this article, until it has been approved by the Fire Marshal to comply with all city plumbing code, building code, fire code, electrical code, natural gas code, HVAC, and all other city or state code related thereto.

Sec. 7-71. Application

The application for any occupancy permit required by this section will be submitted by the landowner concerned to the Planning Commission, and shall contain as a minimum the following data:

- (a) Name, mailing address, and telephone number of the applicant.
- (b) Type of building or structure being applied for occupancy.
- (c) Intended use of the building or structure being applied for occupancy.
- (d) Location of the building or structure being applied for occupancy.
- (e) Building permit number.

- (f) Building completion date.
- (g) Date of intended occupancy.

Sec. 7-72. Fee.

A fee will be charged for each occupancy permit issued under this section, according to the following schedule:

- (a) \$20.00 for any single-family residence.
- (b) \$40.00 for any structure in which, or from which, any business, commercial enterprises, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes equal to or under two thousand (2,000) square foot of space.
- (c) \$30.00 for any multi-family residence equal to or under two thousand (2,000) square foot of space.
- (d) \$60.00 for any structure in which, or from which, any business, commercial enterprises, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes over two thousand (2,000) square foot of space.
- (e) \$50.00 for any multi-family residence over two thousand (2,000) square foot of space.

Sec. 7-73. Duration.

(1) Occupancy permits shall be perpetually valid for the use and physical specifications or condition of the land, building or structure as approved at the time of the permits issue. Any change or alteration from the approved status of the building or structure, in actual use or physical change, will void the permit.

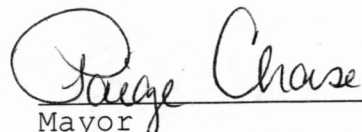
(2) Properly applying for separate building and occupancy permits for building or structure additions, and complying with building regulations in this article, will not void permits issued previously for the main building or structure which the addition may be add to.

(3) If any building or structure, having received an occupancy permit, is found to be in violation or noncompliance with any regulations referred to in this article as a requirement to receive an occupancy permit, the permit shall become void.

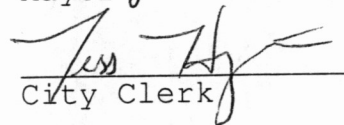
Sec. 7-74. Violation.

Any person, firm or corporation who owns buildings or structures, including manufactured homes, that uses or occupies buildings, or structures without an occupancy permit, or violates any other regulations found in this section, is guilty of a misdemeanor and subject to a fine of not less than \$10.00 and no more than \$100.00. Each day's violation shall constitute a separate offense."

ORDAINED on this 23 day of December, 2019.



Mayor



City Clerk