

ORDINANCE NO. 0-97- 30

AN ORDINANCE ESTABLISHING STANDARDS FOR TEMPORARY BUILDINGS IN THE CITY OF CONWAY; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

Whereas, it is in the best interest of the City of Conway to govern temporary buildings other than through the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: Definitions: The following words and phrases shall have the following meanings for the purposes of this ordinance:

Permanent Building: Any building, tent or awning which is more than one hundred and sixty (160) square feet in area and/or more than sixteen (16) feet in its greatest dimension and/or which is located on any parcel or lot for longer than eleven (11) consecutive months.

Temporary Building: A building which is designed to be transported and capable of being transported as a complete building without division into components and which is no more than one hundred and sixty (160) square feet in area, no more than sixteen (16) feet in its greatest dimension and which is located on any parcel or lot for no longer than eleven (11) consecutive months. This definition shall also include collapsible tents and/or awnings which meet the same dimensional requirements.

Section 2: City Codes: All permanent buildings are required to meet all the requirements of all City codes and ordinances, including but not limited to the Zoning Ordinance, building codes, electrical codes, plumbing codes and mechanical codes. All temporary buildings are required to meet all requirements of those same codes except as noted herein.

Section 3: Zoning Ordinance Requirements: All temporary buildings must meet all the requirements of the Zoning Ordinance except that no temporary building is required to obtain a building moving permit.

Section 4: Building Code Requirements: All temporary buildings must meet all the requirements of the Building Code currently adopted by the City of Conway except as stated herein:

Exceptions:

A. Temporary buildings: Temporary buildings may be constructed elsewhere and transported onto a parcel or lot from outside the City of Conway without the requirement for any structural inspections. Any temporary building constructed within the Conway city limits shall be required to meet all structural requirements

unless otherwise excepted. Temporary buildings which are tents and/or awnings are not required to meet those structural requirements.

B. Temporary buildings in place for no longer than seven (7) days: Temporary buildings in place for no longer than seven (7) days are not required to have foundations or tie downs to resist wind loads.

C. Temporary buildings in place for longer than seven (7) days but no longer than eleven (11) months: Temporary buildings in place for longer than seven (7) days but no longer than eleven (11) months are not required to have foundations, but must have tie downs sufficient to resist design wind loads as established by the Building Code.

Section 5: Electrical Code Requirements: All power supplies to temporary buildings shall be protected from vehicular traffic. All temporary buildings must meet all the requirements of the electrical code currently adopted by the City of Conway except as stated herein:

Exceptions:

A. Temporary buildings in place for no longer than six (6) months: Temporary buildings in place for no longer than six (6) months may be served from a temporary power pole.

B. Temporary buildings in place longer than six (6) months: Temporary buildings in place for longer than six (6) months must be served by permanent power.

Section 6: Health Department Requirements: All temporary buildings are required to meet all requirements of the State Health Department.

Section 7: Temporary Building Permits: Temporary buildings are required to obtain temporary building permits prior to moving the building onto a parcel or lot. The procedures and fees for obtaining temporary building permits will be the same as those for obtaining a building permit except as noted in this ordinance. The temporary building permit will state the date the temporary building is to depart the parcel or lot. The temporary building is to leave the site no later than the end of the day noted on the permit. A temporary building permit may be issued for a period of time up to and including six months. The City Council may grant an extension of that temporary building permit for an additional five (5) months. In no case will a temporary building be allowed to continue in place for longer than eleven (11) months.

Section 8: Special Event Temporary Building Permits: The Mayor may grant Special Event Temporary Building Permits for events which are seven (7) or fewer days in length and which are community-wide events which bring benefits to the community as a whole. At the Mayor's discretion, no fees will be paid for those permits and the permits may be issued for temporary buildings which may be situated in the public right-of-way and/or which may not meet the Zoning Ordinance requirements for building setbacks. At the Mayor's discretion, a tent or awning, or in special circumstances, a building which exceeds the dimensional

requirements of this ordinance may be granted a Special Event Temporary Building Permit.

Section 9: Parking: In no instance except for Special Event Temporary Building Permits may the movement of a temporary building onto a parking lot reduce the number of available parking spaces below the minimum required for that building and other buildings upon that same lot.

Section 10: Restrooms: All submissions for temporary building permits, but not for Special Event Temporary Building Permits, are required to be accompanied by a letter from the owner/agent of the primary building on the lot indicating that the employees in the temporary building may use the restroom facilities in the primary building. No temporary building permit may be issued without this letter.

Section 11: Violations and Penalties: A violation of this Ordinance shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of this Ordinance shall be fined not less than twenty dollars (\$20), nor more than one hundred dollars (\$100) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Upon violation of this Ordinance any electrical service to a temporary building or Special Event temporary building may be ordered discontinued by the Mayor or his appointed agent.

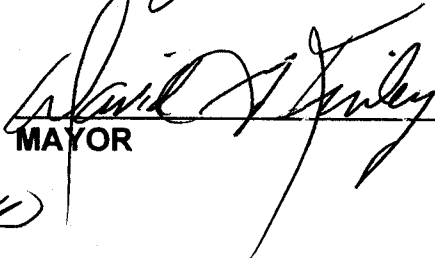
If any temporary building or Special Event temporary building is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, or land is used in violation of this Ordinance, the proper authorities of the City may institute appropriate legal action or other remedies to prevent the unlawful action.

Section 12: That all ordinances in conflict herewith are repealed to the extent of the conflict.


Section 13: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 27th day of May, 1997.

APPROVED:


MAYOR

ATTEST:


CITY CLERK