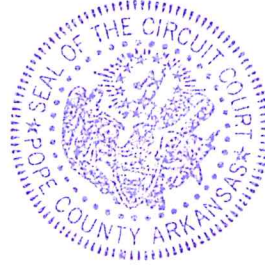


CERTIFICATE OF RECORD  
DOCUMENT NUMBER: 2023-04294  
FILED: 06/15/2023 01:33 PM  
POPE COUNTY, ARKANSAS  
RACHEL L. OERTLING  
ASHLEY MAHON, D.C.  
PAGES: 11  
FEE: \$ 65.00

**This Instrument Prepared by:**

**William F. Smith  
203 South Commerce Ave.  
Russellville, AR 72801**



**Ordinance**

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**INSTRUMENT TYPE**

**City of Russellville**

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**GRANTOR**

**Ordinance #2452**

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**GRANTEE**

DocId:31212064  
TX:4099353

## ORDINANCE NO. 2452

### AN ORDINANCE ADOPTING PERMIT AND REVIEW FEES ASSOCIATED WITH THE CURRENT EDITION OF THE ARKANSAS STATE CODES AS ADOPTED BY THE CITY AND A CITY CODE; CODIFYING THE ESTABLISHED FEES INTO A CITY CODE AND FOR OTHER PURPOSES

**WHEREAS**, the City of Russellville, Arkansas (“City”), previously adopted the current editions of the statewide applicable Arkansas State Codes (“State Codes”), without adding any more stringent provisions that could be applied locally, when it passed adopting ordinance adopted said State Codes into a City Code, which the City currently enforces; and,

**WHEREAS**, the City would like to update the previously adopted City Code with a codified schedule of permit and review fees (“Schedule”) associated with the City Code of adopted State Codes (“City Code”); and,

**WHEREAS**, Arkansas Code Annotated §14-55-207 allows for the adoption of technical codes such as the Arkansas Fire Prevention Code by reference; and

**WHEREAS**, the City Council of the City of Russellville adopts this Ordinance under the authority of Arkansas Code Annotated § 14-55-101, §14-55-102, § 14-55-501, §14-56-201, and §14-56-202.

### **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RUSSELLVILLE, ARKANSAS, OF THE FOLLOWING:**

**SECTION 1:** The current Schedule of permit and review fees associated with the City Code are hereby adopted into the City Code as Chapter 2 by reference for the City of Russellville, Arkansas, pursuant to the statutory authority provided by A.C.A. §§ 14-55-206(b) and 14-55-207, and codified as adopted into a City Code attached to this Ordinance listed as Exhibit 1, pursuant to A.C.A. §14-55-701 *et seq.*

**SECTION 2:** An electronic copy of the proposed Schedule adopted into the current City Code as Chapter 2 has been filed in the office of the City Clerk-Treasurer of the City of Russellville for inspection and view by the public prior to the passage of this Ordinance.

**SECTION 3:** That the City forthwith gave notice to the public, by publication in a newspaper with general circulation within the municipality, stating that copies of the proposed Schedule adopted into the current City Code as Chapter 2, and the related documents, are and have been open to public inspection at the Fire Department and the Office of the City Clerk-Treasurer prior to the passage of this Ordinance and Code adopted by reference as aforesaid.

**SECTION 4:** If any provision of the Schedule adopted into the current City Code as Chapter 2 are declared invalid by a court of competent jurisdiction, such declared invalidity shall not affect the validity of the remainder of the Schedule adopted into the current City Code as Chapter 2.

**SECTION 5:** Violation of any provision of Schedule associated with the City Code shall

be an unclassified misdemeanor pursuant to the authority under A.C.A. §14-55-501. Any person convicted of violating any provision Schedule associated with the City Code shall be assessed with the following fines or penalties assessed pursuant to the authority under A.C.A. §14-55-503, not greater than:

- (a) One thousand dollars (\$1,000.00) for the first offense or violation of said Code;
- (b) Two thousand dollars (\$2,000.00) for the second offense or violation of Code;
- (c) Four thousand (\$4,000.00) for the third offense or subsequent offense of said Code;
- (d) If the violation of said Code is continuous in respect to time, the fine or penalty for allowing the continuous of the violation shall not exceed \$500.00 for each day the violation continued.
- (e) All applicable fees and court costs pursuant to A.C.A. §16-10-305(a)(4).

**SECTION 6:** Be it further ordained that within said Schedule all fees shall be collected by the Fire, Building & Safety Division of the Russellville Fire Department.

**SECTION 7:** Fees for permits and reviews obtained prior to the effective date of this Ordinance will be enforced under the previous ordinances currently in effect until such ordinances are repealed on the effective date this Ordinance adopting the Schedule

**SECTION 8:** Ordinance Nos. 463, 524, 625, 651, 715, 722, 732, 762, 781,792, 958, 959, 960, 961, 1037, 1084, 1145, 1146, 1268, 1269, 1270, 1517-A, 2029, 2272 and any other ordinance in conflict with this Ordinance and Code are hereby repealed to the extent of the conflict.

**SECTION 9:** In exercising the authority to codify the schedule of permit and review fees into the City Code, the City Attorney can make the following changes to the adopted City Code:

- (a) Correct the spelling of words;
- (b) Change capitalization for the purpose of uniformity;
- (c) Correct manifest typographical and grammatical errors;
- (d) Correct manifest errors in references to laws, ordinances and other documents;
- (e) Correct manifest errors in internal reference numbers or letters; and
- (f) Correct punctuation.

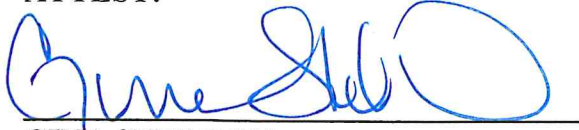
**SECTION 10:** This Ordinance shall go into full force and effect on and after January 1, 2024.

**ORDAINED**, this 13<sup>th</sup> day of June 2023.

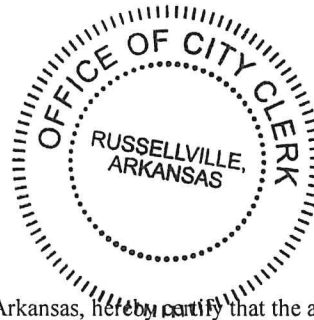
  
\_\_\_\_\_  
**FRED TEAGUE, MAYOR**

Prepared by:  
William F. Smith III  
City Attorney  
203 South Commerce Ave.  
Russellville, AR 72801  
Sponsor: RFD  
OB#1 6-13-2023

ATTEST:



**GINA SKELTON,  
CITY CLERK-TREASURER**



I, Gina Skelton, City Clerk-Treasurer of the City of Russellville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2452 passed by the City Council of the City of Russellville, Arkansas, on the 13<sup>th</sup> day of June, 2023.

APPROVED AS TO LEGAL FORM:



**WILLIAM F. SMITH III,  
CITY ATTORNEY**

## EXHIBIT 1

### CHAPTER 2- PERMIT AND REVIEW FEES

#### SUBCHAPTER 1. GENERAL

**SECTION 1:** For the purpose of this Title, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) *City* means the City of Russellville, Arkansas, a municipal corporation incorporated and organized under the laws of the State of Arkansas.
- (b) *Jurisdiction* means the City.
- (c) *Person* means any individual, firm, partnership, corporation, Limited Liability Company, trust, association, joint venture or other business entity, or the executor, administrator, trustee, receiver, assignee or personal representative thereof.

All other definitions for this Chapter are adopted from the Codes adopted in Title I, Chapter 1, of this Code

**SECTION 2:** These fees and Title are enacted under the authority granted to the City by the State of Arkansas pursuant to A.C.A. §§14-43-602, 14-55-101, 14-55-102, 14-56-201 and 14-56-202.

**SECTION 3:** The Fire, Building & Safety Division of the Russellville Fire Department shall collect all permit and review fees charged in this Chapter.

**SECTION 4:** If any provision of this Chapter or Title are declared invalid by a court of competent jurisdiction, such declared invalidity shall not affect the validity of the remainder of this Chapter or Title.

**SECTION 5:** Ordinance Nos. 463, 524, 625, 651, 715, 722, 732, 762, 781,792, 958, 959, 960, 961, 1037, 1084, 1145, 1146, 1268, 1269, 1270, 1517-A, 2029, 2272 and any other ordinance in conflict with this Chapter are hereby repealed to the extent of the conflict.

#### SUBCHAPTER 2. BUILDING PERMIT FEES

**SECTION 1:** Pursuant to the current edition of the Arkansas Fire Prevention Code, Volume I, there is hereby established a Department of Fire Prevention within the Russellville Fire Department as a division and under the direction of the Fire Code Official also known as the Fire Marshal who is appointed by the Fire Chief of the Russellville Fire Department.

**SECTION 2:** Pursuant to the current edition of the Arkansas Fire Prevention Code, Volumes II and III, there is hereby established a Department of Building Safety within the Russellville Fire Department as a division and under the direction of a Building Official who is appointed by the Mayor of the City.

**SECTION 3:** Pursuant to the current edition of the Arkansas Fire Prevention Code, Volume II, there is adopted a schedule of permit fees, as set out in Section 4, for a Building Permit to be paid by any person who is required under the current Arkansas Fire Prevention Code, Volumes II or III, to acquire a building permit before starting

construction or alteration of any building or structure within the City in order to defray the costs associated with review and inspection of the submitted documents for the building or alteration of the building or structure.

**SECTION 4:** The following two (2) schedules shall be used by the Building Official or their designee in arriving at the cost of a residential building permit from the City:

(a) **Schedule 1:** Schedule 1 shall determine the construction cost of any proposed residential structure to be built in the City. The type of construction shall determine the fee multiplier to be used to multiple with the proposed square footage to be newly built, added to or altered. The cost once determined shall be used in Schedule 2 to compute the fee for the building permit for the proposed structure to be built:

<u>Type of Construction</u>	<u>Fee Multiplier</u>
New Construction or Addition	\$95.00 per square foot of structure to be built
Alteration	\$75.00 per square foot of structure to be altered

(b) **Schedule 2:** Once the construction cost has been determined from Schedule 1 for the proposed building or structure to be built, the fee for the residential building permit shall be paid to the Building Official or their designee at a sum arrived at from the following schedule:

<u>Construction Cost of Proposed Structure</u>	<u>Fee to be Assessed</u>
Less than \$100.00	\$5.00
More than \$100.00 to and including \$500.00	\$8.50
More than \$500.00 to and including \$1,000.00	\$14.00
Each additional \$1,000.00 or fraction to and including \$50,000.00	\$5.50
Each additional \$1,000.00 or fraction to and including \$100,000.00	\$3.00
Each additional \$1,000.00 or fraction exceeding \$100,000.00	\$1.25

**SECTION 5:** There shall be a fifty dollar (\$50.00) minimum fee for any residential building permit on any new construction, addition or alteration to a residential structure.

**SECTION 6:** The following two (2) schedules shall be used by the Building Official or their designee in arriving at the cost of a commercial building permit from the City:

(a) **Schedule 1:** Schedule 1 shall determine the construction cost of any proposed commercial structure to be built in the City. The type of construction and the commercial use of the structure shall determine the fee multipliers to be used to multiple with the proposed square footage to be newly built, added to or altered. The construction cost once determined shall be used in Schedule 2 to compute the fee for the commercial building permit for the proposed structure to be built:

<u>Use of Structure</u>	<u>Type of Construction</u>	
	New Construction/Addition (NCA)	Alteration

Assembly	\$216.77 per square foot	½ of NCA
Business	\$186.54 per square foot	½ of NCA
Educational	\$205.29 per square foot	½ of NCA
Factory	\$104.61 per square foot	½ of NCA
Hazard	\$127.65 per square foot	½ of NCA
Institutional	\$239.27 per square foot	½ of NCA
Mercantile	\$135.30 per square foot	½ of NCA
Residential	\$179.11 per square foot	½ of NCA
Storage	\$94.20 per square foot	½ of NCA
Utility	\$73.59 per square foot	½ of NCA

(b) **Schedule 2:** Once the construction cost has been determined from Schedule 1 for the proposed building or structure to be built, the fee for the commercial building permit shall be paid to the Building Official or their designee at a sum arrived at from the following schedule:

<b>Construction Cost of Proposed Structure</b>	<b>Fee to be Assessed</b>
Less than \$100.00	\$5.00
More than \$100.00 to and including \$500.00	\$8.50
More than \$500.00 to and including \$1,000.00	\$14.00
Each additional \$1,000.00 or fraction to and including \$50,000.00	\$5.50
Each additional \$1,000.00 or fraction to and including \$100,000.00	\$3.00
Each additional \$1,000.00 or fraction exceeding \$100,000.00	\$1.25

**SECTION 7:** There shall be a one hundred dollar (\$100.00) minimum fee for any commercial building permit on any new construction, addition or alteration to a commercial structure.

### **SUBCHAPTER 3 – MECHANICAL PERMIT FEES**

**SECTION 1:** Pursuant to the current edition of the Arkansas Mechanical Code, the Fire, Building & Safety Division of the Russellville Fire Department shall collect the mechanical permit fees. The Building Official shall be in charge thereof, shall enforce the provisions of this Code and shall be known as the code official for purposes of the current edition of the Arkansas Mechanical Code.

**SECTION 2:** The following schedule shall be used by the Building Official or their designee in arriving at the cost of a residential mechanical permit from the City:

<b>Type of Work</b>	<b>Fee Multiplier</b>
New or Addition	\$0.07 per square foot of the structure worked on
Single Change Out	\$50.00 per unit
Package Change Out	\$75.00 per package unit
Ductwork Change Out	\$0.07 per square foot of the structure worked on

**SECTION 3:** There shall be a fifty dollar (\$50.00) minimum fee for any residential mechanical permit on any new or addition mechanical work or for any ductwork change out.

**SECTION 4:** The following schedule shall be used by the Building Official or their designee in arriving at the cost of a commercial mechanical permit from the City:

<u>Type of Work</u>	<u>Fee Multiplier</u>
New or Addition	\$0.04 per square foot of the structure worked on
Refrigeration Systems	\$0.04 per square foot of the structure worked on
Single Change Out	\$75.00 per unit
Package Change Out	\$100.00 per package unit
Ductwork Change Out	\$0.04 per square foot of the structure worked on

**SECTION 5:** There shall be a seventy-five dollar (\$75.00) minimum fee for any commercial mechanical permit on any new or addition mechanical work, work of refrigeration systems or for any ductwork change out.

**SECTION 6:** Any separate licensed installer of a refrigeration system shall require an additional commercial mechanical permit.

**SUBCHAPTER 3 – ELECTRICAL PERMIT FEES**

**SECTION 1:** Pursuant to the current edition of the Arkansas Electrical Code, the Fire, Building & Safety Division of the Russellville Fire Department shall collect the electrical permit fees. The Building Official shall be in charge thereof, shall enforce the provisions of this Code and shall be known as the code official for purposes of the current edition of the Arkansas Electrical Code.

**SECTION 2:** The following schedule shall be used by the Building Official or their designee in arriving at the cost of a residential electrical permit from the City:

<u>Type of Work</u>	<u>Fee or Fee Multiplier</u>
New/Addition/Alteration	\$0.07 per square foot of the structure worked on
Meter Change Out (Green Tag)	\$50.00
Panel Upgrade/Replace	\$50.00
Solar	\$50.00
Standby Generator	\$50.00

**SECTION 3:** There shall be a fifty dollar (\$50.00) minimum fee for any residential electrical permit on any new construction, addition or alteration to a residential structure.

**SECTION 4:** The following schedule shall be used by the Building Official or their designee in arriving at the cost of a commercial electrical permit from the City:

<u>Type of Work</u>	<u>Fee or Fee Multiplier</u>
New/Addition/Alteration/Finish Out	\$0.04 per square foot of the structure worked
Meter Change Out (Green Tag)	\$75.00
Panel Upgrade/Replace	\$75.00
Solar	\$75.00
Standby Generator	\$75.00

**SECTION 5:** There shall be a seventy-five dollar (\$75.00) minimum fee for any commercial electrical permit on any new construction, addition, alteration or finish out to a commercial structure.

**SUBCHAPTER 4 – PLUMBING PERMIT FEES**

**SECTION 1:** Pursuant to the current edition of the Arkansas Plumbing Code, the Fire, Building & Safety Division of the Russellville Fire Department shall collect the plumbing permit fees. The Building Official shall be in charge thereof, shall enforce the provisions of this Code and shall be known as the code official for purposes of the current edition of the Arkansas Plumbing Code.

**SECTION 2:** The following schedule shall be used by the Building Official or their designee in arriving at the cost of a residential plumbing permit from the City:

<u>Type of Work</u>	<u>Fee or Fee Multiplier</u>
New/Addition/Alteration	\$0.07 per square foot of the structure worked
Water Heater Change Out	\$50.00
Gas Piping	\$50.00 for 2 outlets, \$20.00 for each additional outlet and riser diagram calculation sheet required
Gas Meter inspection for service	\$50.00
Standby Generator	\$50.00

**SECTION 3:** There shall be a fifty dollar (\$50.00) minimum fee for any residential plumbing permit on any new construction, addition or alteration to a residential structure.

**SECTION 4:** The following schedule shall be used by the Building Official or their designee in arriving at the cost of a commercial plumbing permit from the City:

<u>Type of Work</u>	<u>Fee or Fee Multiplier</u>
New/Addition/Alteration	\$0.04 per square foot of the structure worked
Water Heater Change Out	\$75.00
Gas Piping	\$50.00 for 2 outlets, \$20.00 for each additional outlet and riser diagram calculation sheet required
Gas Meter inspection for service	\$75.00
Standby Generator	\$75.00

**SECTION 5:** There shall be a seventy-five dollar (\$75.00) minimum fee for any commercial plumbing permit on any new construction, addition or alteration to a commercial structure.

**SUBCHAPTER 5 – COMMERCIAL DEMOLITION PERMIT FEES**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, §14-55-102, § 14-55-501, §14-56-201, and §14-56-202, the City hereby establishes a commercial demolition permit which shall be required to be obtained by any person before being able to remove or demolish any single commercial building or commercial structure within the City. The Building Official shall be in charge thereof, shall enforce the provisions of this permit and any applicable law or Code adopted by the City.

**SECTION 2:** The fee for a commercial demolition permit to remove or demolish a single commercial building or structure shall be one hundred dollars (\$100.00).

#### **SUBCHAPTER 6 – LICENSED CARE SERVICES**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, 14-55-102, and 14-55-501, the City hereby establishes the following fees:

- (a) Fire alarm reports for verification of fire loss – ten dollars (\$10.00) per report.
- (b) Fire Department inspection for homes for exceptional children, youth homes, nursing homes, day care centers, adult care center, education buildings, behavioral services buildings and related licensed care services and offices – fifty dollars (\$50.00) per site inspection.

**SECTION 2:** All fees collected from Section 1 of this Subchapter shall be deposited into the Fire Department Contingency Fund.

#### **SUBCHAPTER 7 – ARCHITECTURAL PLAN REVIEW FEE**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, §14-55-102, § 14-55-501, §14-56-201, and §14-56-202, the City hereby establishes an architectural plan review fee which shall be required to be paid by any person for the review of architectural plans on any proposed construction, addition or alteration of any commercial building or commercial structure within the City. The Building Official shall be in charge thereof, shall enforce the provisions of this review, fee and any applicable law or Code adopted by the City.

**SECTION 2:** The fee for an architectural plan review a single commercial building or structure shall be zero point zero one percent (0.01%) of the value of the proposed commercial building or structure.

**SECTION 3:** The architectural plan review fee shall have a minimum fee of one hundred and fifty dollars (\$150.00) and a maximum fee of seven hundred and fifty dollars (\$750.00).

#### **SUBCHAPTER 8 – FIRE SPRINKLER PLAN REVIEW FEE**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, §14-55-102, § 14-55-501, §14-56-201, and §14-56-202, the City hereby establishes a fire sprinkler plan review fee which shall be required to be paid by any person for the review of fire sprinkler plans on any proposed construction, addition or alteration of any building or structure within the City that meets or exceeds the threshold requiring the fire sprinklering of a building or structure. The Fire Marshal shall be in charge thereof, shall enforce the provisions of this review, fee and any applicable law or Code adopted by the City.

**SECTION 2:** The fee for a fire sprinkler plan review of a commercial building or commercial structure shall be fifty dollars (\$50.00).

#### **SUBCHAPTER 9 – FIRE ALARM PLAN REVIEW FEE**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, §14-55-102, § 14-55-501, §14-56-201, and §14-56-202, the City hereby establishes a fire alarm plan review fee which shall be required to be paid by any person for the review of fire alarm plans on any proposed construction, addition or alteration of any building or structure within the City that meets or exceeds the threshold requiring fire alarms of a building or structure. The Fire Marshal shall be in charge thereof, shall enforce the provisions of this review, fee and any applicable law or Code adopted by the City.

**SECTION 2:** The fee for a fire alarm plan review of a commercial building or commercial structure shall be fifty dollars (\$50.00).

#### **SUBCHAPTER 10 – SOLAR PLAN REVIEW FEE**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, §14-55-102, § 14-55-501, §14-56-201, and §14-56-202, the City hereby establishes a solar plan review fee which shall be required to be paid by any person for the review of solar plans on any proposed construction, addition or alteration of any building or structure within the City of a building or structure. The Building Official shall be in charge thereof, shall enforce the provisions of this review, fee and any applicable law or Code adopted by the City.

**SECTION 2:** The fee for a solar plan review of a building or commercial structure shall be fifty dollars (\$50.00).

#### **SUBCHAPTER 11 – OPEN BURN PERMIT FEE-COMMERCIAL**

**SECTION 1:** Pursuant to the grant of authority by the State of Arkansas pursuant to Arkansas Code Annotated §§14-55-101, 14-55-102, 14-55-501, the City hereby establishes an open burn permit fee which shall be required to be paid by any person on any proposed open burn at a commercial site where there is or has been construction, addition or alteration of any commercial building or commercial structure within the City. The Fire Marshal shall be in charge thereof, shall enforce the provisions of this permit, fee and any applicable law or Code adopted by the City.

**SECTION 2:** The fee for an open burn permit fee for a commercial site shall be fifty dollars (\$50.00).