

ORDINANCE 23-352

AN ORDINANCE TITLED THE FLIPPIN PROPERTY MAINTENANCE CODE, DEALING WITH “CLEAN PREMISES” VIOLATIONS AND ENFORCEMENT

WHEREAS, the Flippin City Council has been asked by citizens to establish and enforce updated codes to keep privately owned areas clean and safe; and

WHEREAS, existing Ordinances No. 272 and 322 need to be updated and replaced to accomplish City beautification and to eliminate health and safety issues; and

WHEREAS, EMERGENCY CLAUSE – For the Health, safety and well-being of the citizens of the City of Flippin, it is of the utmost urgency to adopt this ordinance, giving the City the ability to maintain codes and enforcement of Clean Premises.

THEREFORE, Ordinances No. 272 and 322 are hereby repealed and replaced as follows:

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Flippin, Arkansas, hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for an authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safe-guards required by this code or a previous regulation or code under the structure or premises was constructed, altered or repaired shall be maintained in good working order. An owner, owner’s authorized agent, operator or occupant shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for

any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of City of Flippin Fire Prevention Code, Plumbing Code, Mechanical Code, and Electrical Code.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure that is dangerous, unsafe and unsanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designed as historic buildings which such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

102.7.1 Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure, or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.10 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**SECTION 103
DEPARTMENT OF PROPERTY
MAINTENANCE INSPECTION**

103.1 General. The department of property maintenance is hereby created and the duties are hereby given to the Community Risk Reduction Division within the Flippin Fire Department, and the executive official in charge thereof shall be known as the Code Enforcement Official.

103.2 Appointment. The Code Enforcement Official shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Code Enforcement Official shall have the authority to a deputy. Such employees shall have powers as delegated by the Code Enforcement Official.

SECTION 104 CLEAN PREMISES

104.1 Requirements of Owner of Occupant of Property. The owner(s) or occupant(s) of property within the Flippin City limits are hereby required to:

- A. Maintain, cut, and remove weeds, grass, and brush, or any other uncultivated plant(s), which are not used for agriculture purposes, which exceed the height of eight (8) inches. Property owner(s) or occupant(s) are responsible for the upkeep of their yards and the ditch line up to the pavement.
- B. Remove garbage, rubbish, or any other unsanitary or unsightly articles and things including, but not limited to, household furniture, boards, bricks, sheet metals, construction materials, appliances, and plumbing fixtures. This article applies to items which are in public view and are not being used in immediate construction projects.
- C. Eliminate, or fill holes, items containing water, pools, ponds, or any nuisance that might attract children or vagrant persons, or might become a breeding place for flies, mosquitoes, rats, snakes, pests, germs, or vermin, or any unsafe or harmful to persons.
- D. Remove any items, whether valuable or junk, that may collect, and interfere with the flow of drainage water in ditches, drains, or culverts.

104.2 Clean Premises Enforcement. Violators of the above "clean premises" code, Section 104.1 will be given written notice that they have fourteen (14) calendar days to correct the violation. Notice may be by personal delivery, by certified mail to the last known address, or by posting the "Notice" on the premises. If the condition is not corrected in the fourteen (14) days, the City is authorized to enter the violating premises to perform the required work, or the City may pay a private contractor to perform mowing or clean-up. The owner(s) or occupant(s) also may be charged and cited into Flippin District Court. The cost of labor, equipment, and supplies incurred by the City may be claimed by the City as restitution, together with fines and costs levied by the District Court Judge. In cases where the violator does not respond, one notice attempt shall be sufficient for repeat mowing when required.

104.3 Procedure where owner's whereabouts is unknown or is a nonresident. In the event the owner has not been located, the City may file a lien against the premises for the cost of clean-up, as authorized by Arkansas Code Section 18-44-101 in which the lien may be enforced against the real estate within eighteen (18) months by filing suit in Marion County District or Circuit Court.

104.4 Fines and costs. A person convicted of a violation of this code for a first offense shall be guilty of an unclassified misdemeanor and shall be fined up to one thousand dollars(\$1000). For premises violations that are not corrected, the fines may apply and be calculated for each day the violation continues, as well as any costs incurred by the City for the violation may be added as restitution.

SECTION 105 EXTERIOR PROPERTY AREAS

105.1 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar area shall be kept in a proper state of repair, and maintained free from hazardous conditions.

105.2 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

105.3 Exhaust vents. Pipe, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

105.4 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

105.5 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major , disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similar enclosed area designed and approved for such purposes.

105.6 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 106 UNSAFE STRUCTURE

106.1 Damaged and Unsafe Structures. The owner(s) of fire damaged, dilapidated, or casualty damaged properties that render the structure(s) or premises unsafe, unsightly, or unsanitary are required to repair or eliminate the condition. The owner(s) of the property shall be given written notice of the violation by a designated city official, and shall have thirty (30) days in which to eliminate the violation or, if additional time is needed and requested, to present a written plan of timely abatement acceptable to city officials. If the correction or abatement is not satisfactory to the enforcement official(s), a nuisance may be declared by Resolution of the city council. A structure found to be a nuisance may be condemned by a Resolution of the city council.

106.2 Nuisance and condemnation of buildings.

- A. That it shall be and it is hereby declared to be unlawful for any person or persons, partnership, corporation or association, to own, keep or maintain any house, building and/or structure within the corporate limits of the City of Flippin, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by Resolution of the city council.
- B. That any such house, building and/or structure which is found and declared to be a nuisance by Resolution of the city council may be condemned to ensure the removal thereof as herein provided.
- C. That the Resolution of the city council condemning any house, building and/or structure which constitutes a nuisance will include said Resolution an adequate description of the house, building and/or structure, the name or names, if known, of the owner or owners thereof; and shall set forth the reason or reasons said house, building and/or structure is or has been condemned as a nuisance.
- D. After a house, building and/or structure has been found and declared to be a nuisance and condemned by Resolution, a true or certified copy of said owner or owners thereof; provided that if the owner or owners of said house, building and/or structure be unknown or if his or their whereabouts or last known address be unknown, the posting of the copy of said Resolution on premises as herein above provided will suffice as notice.
- E. If the house, building and/or structure constituting a nuisance has not been torn down and removed, or said nuisance otherwise abated within thirty (30) days after notice is given or posted, the same may be torn down and/or removed by the city. Arkansas Code Sections 14-54-902, 903, and 904 are hereby adopted as if set out herein word for word.
- F. The persons designated by the Mayor to tear down and remove any such house, building and/or structure constituting a nuisance will insure the removal thereof and dispose of the same in such a manner as deemed appropriate in the circumstances and to that end may, if the same have a substantial value, sell said house, building and/or structure, or any salable material thereof, by public sale to the highest bidder for cash after ten (10) days' notice thereof being first given by one publication in some newspaper having a general circulation in the city.
- G. All of the proceeds of the sale of any such house, building, and/or structure or the proceeds of the sale of salable materials therefrom shall be paid to the city Clerk/Treasurer. If any such house, building and/or structure or the salable materials there from are sold for an amount which exceeds all costs incidental to the abatement of the nuisance (including the cleaning up of the premises) by the city, plus any fine or fines imposed, the balance thereof will be forwarded to the former owner or owns of such house, building and/or structure consisting the nuisance.
- H. If the city has any net costs in removal of any house, building or structure, the city shall have a lien upon the property as provided by Section 1 of Act 8 of 1983. The lien may be enforced at any time within eighteen (18) months after the work has been done by an action in the District or Circuit Court

SECTION 107

INOPERABLE OR PARKED MOTOR DRIVEN VEHICLES AND EQUIPMENT

107.1. Inoperable or parked motor driven vehicles and equipment. The owner(s) or occupant(s) of property within the City limits of Flippin are hereby required to remove motor vehicles, trailers, and equipment that is unused, inoperable, and has been parked fourteen (14) days without use. The vehicle or equipment shall be presumed to be inoperative when any of the following conditions exists:

- A. One or more tires are flat.
- B. One or more wheels are missing.
- C. Weeds or grass has grown around the vehicle or equipment.
- D. The vehicle has no current registration.
- E. Any other factor that is indicative of non-use.

Note: This section does not apply to vehicles or equipment stored in closed garages or outbuildings, but does apply to driveways, yards, and open carports. This section does not apply to automotive or equipment business operating in commercial or industrial zones.

107.2 Enforcement. Violations of this section shall be given written notice that they have fourteen (14) calendar days to remove the vehicle or equipment. Notice may be by personal delivery, by certified mail to last known address, or by posting the "Notice" on the premises. If the condition is not corrected in the fourteen (14) days, the City is authorized and directed to remove the violating vehicle or equipment. Alternatively, the City may authorize a licensed towing/handling entity to remove the vehicle, all at the expense of the violator. The owner may also be charged and cited into Flippin District Court.

107.3 Fines and costs. A person convicted of a violation of this code section shall be guilty of an unclassified misdemeanor and shall be fined up to one thousand dollars (\$1,000). For violations that are not corrected, the fines may apply and be calculated for each day the violation continues and may be levied by the District Court Judge. Also, any reasonable costs to remove the vehicle or equipment may be added to the court costs as restitution.

SECTION 108

EXTERIOR STRUCTURE

108.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare.

108.2 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code, International Existing Building Code, or the City of Flippin Fire Prevention Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.

2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects.
6. Exterior walls not anchored to supporting and/or supported elements. Not free of holes, cracks, or breaks and have loose or rotting materials. Not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
7. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs or deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.
8. Flooring and flooring components with defects that affect service ability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.
9. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
10. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
11. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails that are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
12. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the code official.

108.3 Protective Treatment. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight. Metal surfaces subject to rust or corrosion all be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

108.4 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches in height with a minimum stroke width of 0.5 inch.

108.5 Structural members. Structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

108.6 Foundation walls. Foundation walls shall be maintained and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

108.7 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

108.8 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

108.9 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

108.10 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

108.11 Stairways, decks, porches, and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

108.12 Chimneys and towers. Chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

108.13 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

108.14 Window, skylight, and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

108.15 Glazing. Glazing materials shall be maintained free from cracks and holes.

108.16 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in fixed position by window hardware.

108.17 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with City of Flippin Fire Prevention Code.

108.18 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

108.19 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

108.20 Building security. Doors, windows or hatchways for dwelling units, room unit or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

SECTION 109

GENERAL

109.1 SCOPE. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

109.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises that does not comply with the requirements of this chapter.

SECTION 110

REQUIRED FACILITIES

110.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substituted for the required lavatory.

110.2 Rooming houses. Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

110.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, or lavatory and one bathtub or shower having access from a public hallway shall be provided for each 10 occupants.

110.4 Employee's facilities. Not less than one water closet, one lavatory and one drinking facility shall be available to employees.

110.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the International Plumbing Code and City of Flippin Fire Prevention Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

SECTION 111 WATER SYSTEM

111.1 General. Every sink, lavatory, bathtub, or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code and City of Flippin Fire Prevention Code.

111.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric type vacuum breaker and permanently attached hose connection vacuum breaker.

111.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

111.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 100 degrees Fahrenheit. A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

111.5 Non-portable water reuse systems. Non-portable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 50.51.

111.6 Abandonment of systems. Where a non-portable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with 1301.10 of the International Plumbing Code.

SECTION 112 SANITARY DRAINAGE SYSTEM

112.1 General. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

112.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

112.3 Grease interceptors. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the code official.

SECTION 113 STORM DRAINAGE

113.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

SECTION 114 HEATING FACILITIES

114.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

114.2 Residential occupancies. Dwellings shall be provided heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used as a means to provided required heating. Exception: In areas where the average monthly temperature is above 30 degrees Fahrenheit, a minimum temperature of 68 degrees Fahrenheit shall be maintained.

114.3 Heat supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants, shall supply heat to the occupants thereof at all times to maintain a minimum temperature of 68 degrees Fahrenheit. In all habitable rooms, bathrooms, and toilet rooms. Exceptions: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code. In areas where the average monthly temperature is above 30 degrees Fahrenheit, a minimum temperature of 62 degrees Fahrenheit shall be maintained.

114.4 Room temperature measurement. The required room temperature shall be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.

SECTION 115 MECHANICAL EQUIPMENT

115.1 Mechanical equipment and appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

115.2 Removal of combustion products. Fuel-burning equipment and appliances shall be connected to an approved chimney or vent. Exception: Fuel-burning equipment and appliances that are labeled for un-vented operations.

115.3 Clearances. Required clearances to areas shall be maintained in effective operation.

115.4 Safety controls. Safety controls for fuel-burning equipment shall be maintained in effective operations.

115.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

115.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose the installation is specifically approved.

SECTION 116 ELECTRICAL FACILITIES

116.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and 605 and connected to an energized service system.

116.2 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, and lighting outlet, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

116.3. Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

116.3.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords wiring devices, ground fault circuit interrupter, surge protectors,

molded case circuit breakers, low-voltage fuses, luminaries, ballasts motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the International Building Code and the City of Flippin Fire Prevention Code.

Exception: The following equipment shall be allowed to be repaired where an in section report from the equipment manufacturer or approved manufacturer's representative indicated that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway - rated not more than 600 volts.
3. Panel-boards - rated not more than 600 volts.
4. Switchboards - rated not more than 600 volts.
5. Fire pump controllers - rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.
8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low and medium voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaries that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

116.3.2 Abatement of electrical hazards associated with fire exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

116.3.3 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, which have been exposed to fire, shall be replaced in accordance with the provisions of the International Building Code and City of Flippin Fire Prevention Code.

Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

SECTION 117 ELECTRICAL EQUIPMENT

117.1 Installation. Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

117.2 Receptacles. Every habitable space in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain not less than one receptacle. Any new bathroom receptacle outlet shall have appropriate faceplate cover for the location.

117.3 Luminaries. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain not less than one electric luminaire. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.

117.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors or ceilings.


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLIPPIN ARKANSAS:

PASSED AND ADOPTED THIS 21st DAY OF March 2023.

CITY OF FLIPPIN, ARKANSAS



Mayor



Attest City Recorder