CITY OF MULBERRY, ARKANSAS

ORDINANCE NO. 2021-11

AN ORDINANCE ADOPTING THE 2012 ARKANSAS FIRE PREVENTION CODE, CONTAINING FIRE PREVENTION, BUILDING AND RESIDENTIAL CODES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS, AS FOLLOWS:

SECTION 1: ADOPTION OF ARKANSAS FIRE PREVENTION CODE.
The City Council does hereby adopt by reference, the 2012 Edition of the Arkansas Fire Prevention Code consisting of Volume 1 Fire, Volume 2 Building, Volume 3 Residential, and all appendices (also known as the International Building Code with the Arkansas Fire Code exceptions) and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended.

SECTION 2: MAINTENANCE OF COPIES FOR PUBLIC VIEW AND INSPECTION.
Not less than three (3) copies have been and now are filed in the office of the Clerk or Recorder of the City of Mulberry, Arkansas, including both written and electronic as allowed by statute. Prior to adoption of this ordinance, notice of the availability of the code and consideration of this ordinance was published in the newspaper.

SECTION 3: APPLICATION
From the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Mulberry, Arkansas.

SECTION 4: REPEAL OF CONFLICTING PROVISIONS
All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5: When the Arkansas Fire Prevention Code conflicts with the 2010 Americans With Disability Act Standard for Accessible Design, the conflicting provisions of 2010 Americans With Disability Act Standard for Accessible Design shall control as provided by Ark. Code Ann. § 12-13-117.

SECTION 5: SEVERABILITY
If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or unlawful, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 13: EMERGENCY CLAUSE

Whereas it is of the utmost urgency that the City of Mulberry, Arkansas, have an up-to-date fire and building code to protect the property and lives of the citizens of our city; therefore an Emergency is hereby declared to exist and this ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately on its passage and approval.

PASSED AND APPROVED THIS 21st DAY OF December 2021.

APPROVED:

GARY D. BAXTER, MAYOR

ATTESTED:

RECORDER/TREASURER