

*ORDINANCE NO. 11 OF 2005*

AN ORDINANCE ESTABLISHING THE BOARD OF ADJUSTMENT AS THE BOARD TO HEAR APPEALS UNDER THE ARKANSAS FIRE PREVENTION CODE (2002 EDITION); AND FOR OTHER PURPOSES

WHEREAS, The Arkansas Fire Prevention Code, 2002 Edition, consisting of Volume I: Fire; Volume II: Building; and Volume III: Residential (the "Code") is presently in force in the City of Benton, Arkansas; and,

WHEREAS, The Code provides for the establishment of a body named the "Board of Appeals" and further provides that all persons shall have the right to appeal the city staff's decisions through a body appointed by the City Council; and,

WHEREAS, The City Council desires that function of appeal boards involving the several construction related codes in force in the City of Benton be performed by the Board of Adjustment established by Ordinance 22 of 1992;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Benton, Arkansas, that:

SECTION 1. The City of Benton does hereby confer upon and extend to the Board of Adjustment established by Ordinance 22 of 1992 final authority for interpretation of the provisions of the Code. The said Board of Adjustment shall hear all appeals from rulings of the City staff pursuant to the Code, and shall perform all functions of the "Board of

Appeals" specified within the Code.

SECTION 2. The City Clerk shall maintain and keep on file at least three (3) copies of the text of this Ordinance for use and examination by the public.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED and APPROVED this 20th day of March, 2005.

  
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Rick Holland, Mayor

  
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Cindy Stracener, City Clerk