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ORDINANCE NO. 73

MAY 20 1996

AN ORDINANCE REQUIRING A CERTIFICATE OF REGISTRATION UNDER ACT 859 OF THE ACTS OF ARKANSAS OF 1987 FOR THE ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION OF RESIDENTIAL DWELLINGS IN THE CITY OF BETHEL HEIGHTS, ARKANSAS, AND FOR OTHER PURPOSES. BENTON COUNTY, ARK.

WHEREAS, ACT 859 OF 1987, codified as A.C.A. 17-47-101, et. seq., and known as the "Arkansas Homebuilders Registration act," allows local governments to require that homebuilders be registered with the Secretary of State, or show proof of exemption, as provided in said Act;

WHEREAS, several local homebuilders have requested that the City Council for the City of Bethel Heights, Arkansas, adopt such a requirement; and

WHEREAS, the City Council determines it to be in the best interest of the citizens of Bethel Heights, Arkansas, to have such an ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BETHEL HEIGHTS, ARKANSAS:

Section 1: As used in this Ordinance, unless the context otherwise requires, the following definitions apply:

(A) Homebuilder: Any person who, in the pursuit of an independent business, undertakes to, or offers to undertake, or submits a bid to, or contracts or undertakes to construct, or assumes charge, in a supervisory capacity or otherwise, or manages the construction or erection of a private residence on behalf of another person, of who, to do similar work upon his own property with the intent to resell the private residence, employs members of one, (1) or more building trades upon a single job or project or under a single building permit;

(B) Residence: Any dwelling, from one (1) to four (4) units in design, intended principally for residential purposes;

(C) Person: Any natural person, limited or general partnership, association, corporation, or other organization or entity, or any combination thereof.

Section 2: Homebuilders applying for a permit pursuant to the Building Codes of the City of Bethel Heights for the construction of a residence must include a copy of such homebuilder's Certificate of Registration issued by the Arkansas Secretary of State pursuant to the provisions of A.C.A. 17-47-101, et. seq., as the same may be amended from time to time, and a statement by such homebuilder that such Certificate of Registration is in full force and effect, or evidence that the applicant is exempt from the provisions of said A.C.A. §17-47-101, et. seq., because they are not a homebuilder, as defined herein.

Section 3: Provided further, the applicants for said permits may maintain on file with the Building Inspection Division a currant Certificate of Registration in lieu of submission of said certificate with each permit application. Permits will not be issued until the requirements of the ordinance have been met.

City of Bethel Heights
530 Sunrise Drive
Bethel Heights, AR 72764

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Section 4: The requirements of this ordinance shall be deemed to be independent of the requirements of any other ordinances for the issuance of permits for such construction.

PASSED AND APPROVED THIS 14th DAY OF MAY, 1996.

APPROVED: Bonnie D Ramsey
Bonnie Ramsey, Mayor

ATTEST: Herman A. Sciter
Herman Sciter, City Clerk