

## TITLE 11

### BUILDING AND CONSTRUCTION

#### Chapters:

- 11.04 Electrical Code
- 11.08 Plumbing Code
- 11.12 Fire Prevention Code
- 11.16 Building Code
- 11.20 Housing Code
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#### CHAPTER 11.04

#### ELECTRICAL CODE

#### Sections:

- 11.04.01 Adoption of Electrical Code
- 11.04.02 Inspector
- 11.04.03 Duties of inspector
- 11.04.04 Permits
- 11.04.05 Inspection
- 11.04.06 Standards
- 11.04.07 Licensing of electricians
- 11.04.08 Qualification for electrician and permit
- 11.04.09 Failure to comply
- 11.04.10 License to individual
- 11.04.11 Penalties

11.04.01 Adoption of Electrical Code That there is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electric wiring and apparatus, including permits and penalties, that certain electric code known as the National Electrical Code Standard of the National Board of Fire Underwriters being particularly the 1971 edition thereof and the whole thereof, save and except such portions as are

hereinafter deleted, modified, or amended, of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the city and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling in the construction, alteration, maintenance or removal of all electric wiring and apparatus within the corporate limits of the city.

REFERENC: West Helena Ord. No. 1080.

11.04.02 Inspector There is hereby created the office of Electrical Inspector who shall be appointed by the Mayor, subject to the confirmation of the City Council. The Electrical Inspector shall have had at least two (2) years experience as an electrician, shall be of good moral character, shall be versed in the approved methods of electrical construction for safety of life and property and the National Electrical Code. He shall receive such compensation as the Council may decide.

REFERENCE: West Helena Ord. No. 1080.

11.04.03 Duties of inspector The Electrical Inspector, who for the purpose of this chapter shall be known as the City Electrician, and hereafter referred to as such, shall have the duty and is hereby authorized, empowered and directed to regulate and determine the placing of electrical wires or other appliances for electric lights, heat or power in the city and to cause all such wires, appliances or apparatus to be placed, constructed and guarded as not to cause fires or accidents, endangering life or property, and to be constructed as to keep to a minimum the loss or waste of electric current.

It shall be the duty of the City Electrician to enforce all provisions of this chapter and he is hereby granted the authority to enter all buildings in the city of the performance of his duties between the hours of 8:00 a.m. and 5:00 p.m. daily, except that in emergency and within the limits of reason, the City Electrician may enter buildings for such purposes at other than the designated hours.

It shall be the duty of the City Electrician to inspect and/or test all electrical work and equipment or apparatus for compliance with the code whenever electric wiring, appliances, or apparatus shall be defective or hazardous through improper manufacture of improper or insufficient insulation or for any other reason, he shall at once cause the removal of such defect or defects, at the expense of the owners of such wiring, appliance or apparatus.

REFERENCE: West Helena Ord. No. 1080.

11.04.04 Permits No installation, alterations, or removal shall be made in/or of the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus, or heating devices nor alterations made thereto without a

written permit therefor being first obtained from the city license issuing installation, alteration or removal.

REFERENCE: West Helena Ord. No. 1080.

11.04.05 Inspection. Upon the completion of the wiring, installation or alteration of any building or a structure for light, heat, power, appliance or apparatus, it shall be the duty of the person, firm or corporation having direct charge of such to notify the City Electrician who shall, as early as possible, inspect such wiring, installation, appliance, and apparatus and if installed, altered and constructed in compliance with the permit and in accordance with the requirements of this ordinance, he shall execute a certificate of satisfactory inspection, which shall contain the date of such inspection and the result of his examination, but no such certificate shall be issued unless such electric wiring, motors, heating devices, appliances, and apparatus be in strict accord with the rules and requirements and the spirit of this ordinance, nor shall current be turned on such installation, equipment, appliance, motor, heating device, and apparatus unless such certificate be issued. The amount of fee or charge to be made for such inspection and certificate are to be fixed and determined by the City Council.

REFERENCE: West Helena Ord. No. 1080.

**Circuits: SCHEDULE OF FEES**

1 and 2	\$2.00	
3		3.00
4		4.00
5		5.00
5 - 25 circuits		5.00 for first 5 and \$.50 for each additional

**Fixtures:**

Minimum - 10 fixtures or less	\$2.00
Each additional over 10	.50
Clusters same as fixtures. Drop lights and other openings to be charged same as fixtures.	

**Motors, Generators:**

First machine	\$2.00
2 - 5 machines (Inc.)	5.00
For each additional	1.00
Heating devices and air conditions charged same as motors and generators.	
Meter center	\$10.00

**Re-inspection:**

Electrician negligence \$20.00

11.04.06 Standards. All electrical construction, all materials, appliances, motors, heating devices, and apparatus used in connection with electrical work and the operation of all electrical apparatus within the city shall conform to the rules and requirements of the National Electrical Code current when work is performed or equipment and apparatus installed, however, the necessity, good service and said results often require larger sizes of wire, more branch circuits, and better types of equipment than the minimum which is specified in the National Electrical Code. Therefore, the city electrician supervising the enforcement of this code will have the responsibility and authority for making interpretations of the rules, for deciding upon the approval of equipment, materials, construction and for granting the special permission contemplated in a number of the rules and the City Electrician, where necessary., shall follow the code procedure for securing official interpretations of the code.

REFERENCE: West Helena Ord. No. 1080.

11.04.07 Licensing of electricians Any person, firm or corporation desiring to engage in the business of electrical construction or of the installation of wiring and apparatus for electric lights, appliances, heating or power in the city shall, before doing so, obtain a license therefor, the fee of which shall be Thirty-Seven Dollars and Fifty Cents (\$37.50) per year which shall be paid into the city treasury before such license shall become effective.

REFERENCE: West Helena Ord. No. 1080.

11.04.08 Qualification for electrician and permit No license shall be issued until the party applying for same has given satisfactory evidence to the City Electrician of his or their ability to do said electrical work in a safe and satisfactory manner. No permit for installation or alteration of any wiring, heating devices, motors, appliances and apparatus shall be issued until the license and bond herein required have been obtained.

REFERENCE: West Helena Ord. No. 1080.

11.04.09 Failure to comply Any person, firm or corporation who shall fail to correct any defect or defects in his or her work or to meet the required standards after having been given notice of the unfit condition by the City Electrician, within a reasonable time, shall be refused any other permit until such defect or defects have been corrected and shall be subject to revocation of license for continual defective work or either upon conviction for violation of the provision of this chapter. Upon failure to comply with this chapter, the City Electrician shall have authority, after due notice, to cut out electric current in the locality concerned.

REFERENCE: West Helena Ord. No. 1080.

11.04.10 License to individual. Any individual desiring to perform his own electrical work personally shall not be required to make the required bond or to obtain the required license, but shall be required to obtain the regular permit for that particular job. Such work done by an individual must be done by him personally on his own particular job and not be a way of performing a service to the public generally.

11.04.10 Penalties Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than Twenty-Five Dollars (\$25.00), nor more than One Hundred (\$100.00) Dollars together with the costs of such prosecution, or by imprisonment. Each day during which violation continues shall be a separate offense.

REFERENCE: West Helena Ord. No. 1080.

## CHAPTER 11.08

### PLUMBING CODE

#### Sections:

11.08.01	Definitions
11.08.02	State Code
11.08.03	Inspection and supervision
11.08.04	Applications, permits
11.08.05	Bond
11.08.06	Street openings
11.08.07	Authority to disconnect water service
11.08.08	Penalty
11.08.09	Grease interceptors
11.08.10	Exemptions

11.08.01 Definitions Plumbing for the purposes of this chapter is hereby defined as the definitions of A.C.A. 17-38-301, *et seq.*, and the 1971 Arkansas State Plumbing Code with 1972 supplement.

REFERENCE: A.C.A. 17-38-101, *et seq.*; West Helena Ord. No. 1081.

11.08.02 State Code The provisions and regulations of the Arkansas State Plumbing Code, and amendments thereto, and the Standard Plumbing Code, 1997 Edition, adopted by the State Board of Health of Arkansas are made a part of this chapter by reference, three (3) certified copies of which shall be on file in the office of the City Clerk, and shall extend over and govern

the installation of all plumbing installed, altered or repaired within or without the City Municipal Water and/or Sewer System is furnished. Section Two of Ordinance No. 1081 is hereby amended to provide that the use of plastic pipe is hereby prohibited under and form of concrete slab.

REFERENCE: West Helena Ord. No. 01-10.

11.08.03 Inspection and supervision

- A. There is hereby created the position of Plumbing Inspector or inspectors who shall be employed by the city.
- B. The Plumbing Inspector or inspectors shall have experience in plumbing to the extent that enables him to know when plumbing is installed correctly.
- C. The Plumbing Inspector or inspectors shall not be directly connected in any way with any person, firm, corporation, directly or indirectly engaged in the business of plumbing, or plumbing suppliers.
- D. The Inspector shall receive as full compensation for his services a salary designated by the city.
- E. It shall be the duty of the Plumbing Inspector or inspectors to enforce all provisions of this chapter, and such Inspector or inspectors is hereby granted the authority to enter all buildings within or without the corporate limits of the city when such buildings are connected, or to be connected to the municipal water and/or sewage system.
- F. The Plumbing Inspector shall prepare or cause to be prepared suitable form for applications, permits, inspection reports and other such materials.
- G. It shall be the duty of the Plumbing Inspector to inspect and test all plumbing work for compliance with this chapter and its adopted Plumbing Code, and to enforce changing of such installations that does not meet the requirements. It further shall be his duty to see that all persons installing or altering plumbing shall be qualified by state law.

REFERENCE: West Helena Ord. No. 1081.

11.08.04 Applications, permits Before beginning any plumbing work all the requirements mentioned in this chapter must be complied with and the person, firm or corporation doing the work have in their possession a permit from the Plumbing Inspector and a receipt from the City Clerk in payment for all fees. Application must be made and a permit

obtained for all work of every character in connection with the installation, alteration, or repair of any plumbing connection with the installation, alteration or repair of any plumbing fixture, or material connected with the drainage of buildings or property, mains, in either old or new buildings, except for minor repairs. By minor repairs are meant leaks in pipes, traps and cocks or faucets; the opening up of waste pipes, traps and drains through cleanouts only; and the repairs of broken pipes and fixtures. All repairs on streets, alleys and public property must be inspected.

REFERENCE: West Helena Ord. No. 163.

- A. Inspection Fee \$15.00
- B. Each plumbing fixture and/or water and/or waste discharging devices  
3.00 per fixture
- C. Re-Inspection:  
Plumber negligence \$20.00

11.08.05 Bond Every master plumber doing business in the city shall execute and deliver to the city a bond with a surety bonding company in the sum of One Thousand Dollars (\$1,000.00) to indemnify the city or any citizen for any damage caused by the failure of such master plumber to comply strictly with the provisions of this chapter. No plumbing permit shall be issued to any master plumber unless this bond has been delivered to the city and is in full force and effect.

REFERENCE: West Helena Ord. No. 1081.

11.08.06 Street openings

- A. All openings made in the public streets or alleys to install plumbing must be made as carefully as possible and all materials excavated from the trenches shall be removed or placed where the least inconvenience to the public will be caused.
- B. All openings must be replaced in precisely the same condition as before the excavation started and all rubbish and materials must be removed at once, leaving the street or sidewalks clean and in perfect repair.
- C. All openings shall be marked with sufficient barriers. Flares or red lamps shall be maintained around the opening at night and all other precautions shall be taken by the plumber or excavator to protect the public from damage to person or property.

REFERENCE: West Helena Ord. No. 1081.

11.08.07 Authority to disconnect water service

- A. The City Water Department and the city Plumbing Inspector of the city, be and they are hereby authorized to discontinue or cause to be discontinued all water service or services to any and all premises, lands, buildings or structures where it is found that an immediate hazard exists to the purity or potability of the city water supply, by reason of the requirements of the Arkansas State Plumbing Code and the City Plumbing Code and the regulations of the Arkansas State Board of Health having not been complied with.
- B. The City Water Department and the city Plumbing Inspector of the city, be and they are hereby authorized and directed to take such steps as necessary to determine all potential hazards to the purity or potability of the city water supply which exist. Upon determining said potential hazards it shall be the duty of said department and said Inspector to immediately cause notice to go to the owner or such other person responsible for said premises, specifying said hazards, and notifying said person that in the event that said hazard is not corrected within thirty (30) days from the date of said notice, all water services shall be discontinued thereafter until the requirements of the Arkansas State Plumbing Code, and the regulations of the Arkansas State Board of Health have been complied with.

REFERENCE: West Helena Ord. No. 1081.

11.08.08 Penalty Any person, firm or corporation found guilty of violating any of the provisions of this chapter shall be subject to a fine of not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00), together with the costs of such prosecution. Each day during which violation continues shall be a separate offense.

REFERENCE: West Helena Ord. No. 1081.

11.08.09 Grease interceptors All construction of those facilities utilized for those businesses set forth in Section 6.2.1 of the Arkansas State Plumbing Code and all other businesses deemed to have need for a grease interceptor shall contain as a part of its plumbing, a clean-out box or grease interceptor in accordance with the standards hereby adopted by the city of Helena-West Helena, Arkansas, a copy of which is attached hereto and made a part hereof and which is on file with the City Clerk in and for the city of Helena-West Helena, Arkansas.

REFERENCE: West Helena Ord. No. 1199.



11.08.10 Exemptions Nothing in this chapter shall be construed as preventing any one from doing his own plumbing work inside his own property lines if he has first taken out a permit for same and paid into the city treasury the fees as required by this chapter and shall be able to construct his plumbing so as to pass inspection by the Plumbing Inspector.

REFERENCE: West Helena Ord. No. 163.

## CHAPTER 11.12

### FIRE PREVENTION CODE

#### Sections:

- 11.12.01 Adoption of Fire Prevention Code
- 11.12.02 Enforcement
- 11.12.03 Definition
- 11.12.04 Establishment of limits of districts in which storage of explosives and blasting agents, storage of flammable liquids in outside above-ground tanks, and bulk storage of liquefied petroleum gases is to be restricted
- 11.12.05 Modifications
- 11.12.06 Appeals
- 11.12.07 Penalties

11.12.01 Adoption of Fire Prevention Code For the purpose of prescribing regulations governing conditions hazardous to persons and property in the city of Helena-West Helena, the city hereby adopts the Standard Fire Prevention Code, 1997 Edition, and the Fire Protection Code issued by the National Fire Protection Association known as "NFPA 1," 2000 Edition, as though set forth word for word herein. The city further adopts and incorporates by reference any documents adopted by the NFPA 1 in Chapter 32 therein. The City Clerk is hereby directed to maintain and keep on file at least three (3) copies of the Standard Fire Prevention Code, 1997 Edition, and the NFPA1, which copies shall be open to inspection by the public in the office of the City Clerk.

REFERENCE: West Helena Ord. No. 01-10; 01-11.

11.12.02 Enforcement The code hereby adopted shall be enforced by the Chief of the Fire Department.

REFERENCE: West Helena Ord. No. 1078.

11.12.03 Definition Wherever the word "Municipality" is used in the code hereby adopted, it shall be held to mean the city of Helena-West Helena, Arkansas.

REFERENCE: West Helena Ord. No. 1078.

11.12.04 Establishment of limits of districts in which storage of explosives and blasting agents, storage of flammable liquids in outside above-ground tanks, and bulk storage of liquefied petroleum gases is to be restricted The limits referred to in section 53b of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, the limits referred to in section 74a of the code hereby adopted in which storage of Class I liquids in outside above-ground tanks is prohibited, and the limits referred to in section 114 of the code hereby adopted, in which bulk storage of liquefied petroleum gas is restricted are hereby established as follows:

- A. The area designated by the municipality as the central business district
- B. Within fifteen hundred (1,500) feet of any dwelling structure in any built up area within the corporate limits of the municipality with the exception of the outside above-ground tanks for the storage of flammable liquids or for the bulk storage of liquefied petroleum gases having been located in such designated areas prior to the adopting date of this ordinance; provided, however, that the Fire Chief shall inspect such facilities and issue a letter of "Modification" as hereinafter set forth in Sec. 11.12.05 of this chapter.

REFERENCE: West Helena Ord. No. 1078.

11.12.05 Modifications The Chief of the Fire Department shall have power to modify any of the provisions of the code hereby adopted upon application, in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

REFERENCE: West Helena Ord. No. 1078.

11.12.06 Appeals Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the governing body of the municipality within thirty (30) days from the date of the decision appealed.

REFERENCE: West Helena Ord. No. 1078.

11.12.07 Penalties Any person who shall violate any of the provisions of this code or standard hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or failed to operate in accordance with any certificate or permit issued thereunder; and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the District Court of the city or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than one (1) days nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. Each day that prohibited conditions are maintained shall constitute a separate offense.

The fines collected in accordance with and/or in response to violations of this ordinance shall be recorded and maintained and/or recorded separately from all other city expenditures and/or appropriations and shall be expressly used for the purpose of fire prevention, awareness and safety.

REFERENCE: West Helena Ord. No. 01-11.

## CHAPTER 11.16

### BUILDING CODE

#### Sections:

11.16.01	Adoption of
11.16.02	Code Enforcement Officer
11.16.03	Duties of Code Enforcement Officer
11.16.04	Right of entry
11.16.05	Definitions
11.16.06	Fire limits established
11.16.07	Building permit fee

11.16.01 Adoption of There is hereby adopted by the City Council of the city for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures,

including permits and penalties, that certain Building Code known as the National Building Code, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1955 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, and the Standard Building Code, 1997 Edition, and the Standard Existing Building Code, 1997 Edition, of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the city and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and other structures within the corporate limits of the city.

REFERENCE: West Helena Ord. No. 866; Ord. No. 01-10.

#### 11.16.02 Code Enforcement Officer

- A. The office of Code Enforcement Officer is hereby created and the executive official in charge shall be known as the Code Enforcement Officer.
- B. The Code Enforcement Officer shall be appointed by the Mayor and subject to confirmation of the City Council. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given to be heard on specific charges.
- C. During temporary absence or disability of the Code Enforcement Officer the appointing authority shall designate an acting Code Enforcement Officer. (Ord. No. 2006-15, Sec. 1.)

11.16.03 Duties of the Code Enforcement Officer It shall be the duty of the Code Enforcement Officer to enforce all laws relating to the construction, alteration, removal, and demolition of buildings and structures. (Ord. No. 2006-15, Sec. 1.)

11.16.04 Right of entry The Code Enforcement Officer, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour. (Ord. No. 2006-15, Sec. 1.)

#### 11.16.05 Definitions

**Municipality** shall be held to mean the city of Helena-West Helena, Arkansas.

**Corporation Counsel** is used in the Building Code, it shall be held to mean the attorney for the city of Helena-West Helena, Arkansas.

REFERENCE: West Helena Ord. No. 866.

11.16.06 Fire limits established The fire limits of the city of Helena-West Helena, Arkansas are hereby established as follows:

Those areas set out in Zoning Ordinance as Central Business District, Industrial Zones, and Highway Commercial Zones.

REFERENCE: West Helena Ord. No. 866.

11.16.07 Building permit fee

A. Residential

\$20.00 for first \$1,000.00  
\$2.00 for each additional \$1,000.00

B. Commercial

\$20.00 for first \$1,000.00  
\$3.00 for each additional \$1,000.00

**CHAPTER 11.20**

**HOUSING CODE**

Sections:

- 11.20.01 Adoption of
- 11.20.02 Code Enforcement Officer
- 11.20.03 Duties of Code Enforcement Officer
- 11.20.04 Right of entry

11.20.01 Adoption of There is hereby adopted by the City Council of Helena-West Helena, Arkansas that certain health and housing standards known as the Standard Housing Code, 1997 Edition, of which not less than three (3) copies have been and are now filed in the office of the City Clerk of the city, and the same are hereby adopted and incorporated as fully as

if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling on all dwellings and premises within the city limits.

REFERENCE: West Helena Ord. No. 1082; Ord. No. 01-10.

11.20.02 Code Enforcement Officer

- A. The office of Code Enforcement Officer is hereby created.
- B. The Code Enforcement Officer appointed by the Mayor, shall be responsible for the enforcement of this chapter. (Ord. No. 2006-15, Sec. 2.)

11.20.03 Duties of Code Enforcement Officer It shall be the duty of the Code Enforcement Officer to enforce all laws and provisions specified in the herein adopted Southern Standard Housing Code. (Ord. No. 2006-15, Sec. 2.)

11.20.04 Right of entry The Code Enforcement Officer, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building structure or premises at any reasonable hour. (Ord. No. 2006-15, Sec. 2.)

## CHAPTER 11.24

### NATURAL GAS

#### Sections:

11.24.01	Purpose of chapter
11.24.02	Definitions
11.24.03	License required
11.24.04	Revocation of licenses
11.24.05	Permits
11.24.06	Fees
11.24.07	Inspection
11.24.08	Certificates
11.24.09	Functions of gas company
11.24.02	Unauthorized devices
11.24.11	Maintenance
11.24.12	Penalty for violation
11.24.13	Non-liability of city

11.24.01 Purpose of chapter The purpose of this chapter is to provide minimum standards, provisions, and requirements for safe installation of gas appliance and gas pipes, and to regulate the sale, maintenance, and repair of such appliances.

REFERENCE: West Helena Ord. No. 481.

11.24.02 Definitions The following definitions are provided for the sole purpose of proper interpretation and administration of this "Gas Chapter".

**Approved** shall mean accepted by reason of the satisfactory results of thorough investigations and tests conducted by the inspector, or by reason of accepted principles, or tests by recognized authorities, technical or scientific organizations.

**Certificate of approval** shall mean a document issued and attached to the material, piping, or appliance inspected, completely filled out, together with date, address of the premises or consumer, and signed by the inspector.

**Gas appliance** shall mean any appliance or device used for burning natural gas.

**Gas Company** shall mean any person, firm, or corporation holding and exercising a franchise or permit to distribute natural gas within the corporate limits of the city.

**Gas Company service line** shall mean the gas piping leading from the gas main to the property line, or to the point of delivery.

**House line** shall mean the gas piping extending from the consumers point of delivery to gas appliance.

**Inspector** shall mean the administrative authority, and is so designated by the Mayor.

**New gas appliance** shall mean a gas appliance which has not previously been sold and installed or used.

**Outlet** shall mean a threaded connection in a piping system to which a gas burning appliance is or may be attached.

**Point of delivery** shall mean the junction of the utility's meter with the consumer's piping and shall be located at the consumer's meter.

**Standard Gas Code, 1997 Edition** is adopted by Ord. No. 01-10.

**Type "B" vent** shall mean approved vent piping of noncombustible corrosion resistant material of adequate strength and heat insulating value, and having bell and spigot or other approved joints.

**Used gas appliance** shall mean a gas appliance which has been previously sold, installed, and used.

**Vent** shall mean a pipe, flue, or chimney designed and installed to carry the products of combustion from an appliance to the outside atmosphere.

**Vent opening** shall mean an opening or collar which is provided on a gas appliance for the purpose of connecting the vent.

**Venter appliance** shall mean a gas appliance designed and installed in such a manner that the products of combustion are conveyed directly to the outside atmosphere by a vent.

**Yard line or consumer's service line** shall mean the gas piping leading from the property line or point of delivery to the building or premises served.

REFERENCE: West Helena Ord. No. 481.

11.24.03 License required

- A. No person except the owner shall engage in or work at the installation, extension, or alteration of any gas appliance or piping pertaining to or in connection with gas service on consumers premises within the corporate limits of the city unless such



person has first procured a license therefor in accordance with the provisions of this chapter.

- B. Any person, firm or corporation conducting or managing a business for the installing of gas appliances and/or the piping of gas within the jurisdictional limits of the city shall register and pay an annual license fee to the City Clerk.
- C. The annual license for any person, firm or corporation engaged in gas "fitting" shall be Twenty-Five Dollars (\$25.00) per year payable in advance to the City Clerk. The journeyman gas fitter shall pay an annual license fee of Ten Dollars (\$10.00).
- D. Registered licensed master plumbers and journeyman plumbers are not required to obtain gas fitters' licenses or pay the required fees in addition to licenses and fees paid as plumbers.
- E. Only master gas fitters shall be permitted to obtain occupation licenses for the operating of a gas fitting business. All journeymen and helpers must work under the supervision of a master gas fitter. The city gas inspector shall have authority to create reasonable rules and regulations to test, examine and license all people who engage in gas fitting activities.
- F. The gas inspector is hereby prohibited to issue any gas fitting permit to any person, firm or corporation other than those licensed under this ordinance.

REFERENCE: West Helena Ord. No. 855.

11.24.04 Revocation of licenses No person, firm or corporation shall lend his or their "Gas Fitters" or "Master Plumbers" license, as the case may be, to any other person, nor shall any such licensed person, firm or corporation apply for a permit in his or their name for use of any other person, and any such licensed person, firm, or corporation so doing or refusing to comply with any other requirements of this chapter shall have his or their "Gas Fitters" or "Master Plumbers" license, as the case may be, suspended or revoked by the city officials of the city.

REFERENCE: West Helena Ord. No. 481.

11.24.05 Permits No gas fitter or plumber shall install a conversion burner, floor furnace, central heating plant or gas engine, or make alterations to install house piping for gas (natural or manufactured) in any building or structure without first obtaining a permit to do such from the city. Permits will not be required for setting or connecting other gas appliances where such connections are made to existing outlets previously installed by a licensed plumber or gas fitter.

REFERENCE: West Helena Ord. No. 855.



has been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand on air pressure equal to not less than the pressure of a column of mercury twenty (20) inches in height, and the piping shall hold this air pressure for a period of at least fifteen (15) minutes without any perceptible drop. A U-Gauge type mercury column shall be used for the test.

2. All tools, apparatus, labor, and assistance necessary for the tests shall be furnished by the installer.
3. Used gas appliances shall be connected to gas outlets at the time inspection for resale is made (see Sec. 11.24.13).

- C. Inspection of piping required if structure has not used gas for a period of twelve months:

A new inspection certificate shall be required for a structure in which no gas has been used for a period of twelve (12) consecutive months or more.

REFERENCE: West Helena Ord. No. 481.

11.24.08 Certificates The Inspector shall issue a certificate of approval at the completion of the work for which a specific permit has been issued, if after inspection it is found that such work complies with the provisions of this chapter and all other requirements of law or chapter applicable thereto. A duplicate of each piping certificate shall be delivered to the gas company and used as its authority to grant as service.

- A. The Inspector is hereby authorized and directed to enforce all of the provisions of this ordinance, and the Inspector or his authorized representative, upon presentation of proper credentials, may enter any building or premises for the purpose of making inspection or preventing violations of this ordinance.
- B. The Inspector or his authorized representative is hereby authorized to disconnect any gas piping or fixture or appliance which has been connected before a certificate of approval has been issued, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping system, which notice shall state that the same has been disconnected by the Inspector, or his representative, together with the reason or reasons therefor and it shall be unlawful for any person to remove said notice or reconnect said gas piping or appliance until authorized by the inspector to do so.

- C. It shall be the duty of the Inspector to confer with representatives of local gas companies, of local plumbers' or gas fitters' association, of the local Health Department, and the local Fire Department, and otherwise obtain from proper sources all helpful information and advice, presenting same to the City Council from time to time for their consideration.

REFERENCE: West Helena Ord. No. 481.

11.24.09 Functions - of gas company

- A. Gas companies are hereby authorized to discontinue or refuse to supply gas for any gas piping or gas appliance which may appear to be defective or leaking, or otherwise considered to endanger life or property; provided, however, that the gas company shall immediately give notice of discontinuance to the inspector and the occupant of the building or premises where such gas supply is discontinued or refused.
- B. In all cases where the supplying of gas has been discontinued for safety reasons, the supplying of gas shall not be resumed until authorized by the inspector.
- C. Gas companies shall not be required to secure permits to extend gas service pipes or set meters or for any other utilization functions.

REFERENCE: West Helena Ord. No. 481.

11.24.10 Unauthorized devices No person, firm, or corporation shall, without the approval of the Inspector, display, sell, barter, replace, offer for sale, lease, deal in, supply, rent, donate, connect, or install within the corporate limits of the city any device purporting to reduce gas consumption when such device is tended as an adjunct or addition to a gas appliance, or to be suspended above, or to wholly or partially enclose any burner of a gas appliance in such manner as to reduce the effectiveness of ignition of the gas issuing from the burner or impair combustion of said burner.

REFERENCE: West Helena Ord. No. 481.

11.24.11 Maintenance All gas piping, vents, vent connections, and appliances shall be maintained in good condition; provided, however, that no gas piping, vent, vent connection, fixture, or appliance not conforming to the requirements of this chapter shall be used or maintained if the use of maintenance thereof would endanger life or property, and no gas appliance shall be operated which, in the opinion of the Inspector, is not provided with ample ventilation.

REFERENCE: West Helena Ord. No. 481.

11.24.12 Penalty for violation It shall be unlawful to turn on valves, break seals on meter cocks, or do any other act for the purpose of which is to cause or attempt to cause a resumption of the flow of gas through or in pipes which has been stopped or shut off by the utility supplying the same, and the existence of any by-pass pipe or any other device on or about the pipes or equipment installed or legally used by the utility in furnishing gas to consumer or evidence of damage to meters, valves, seals or other appurtenances preventing or interfering with the proper use of such equipment for registering or measuring gas consumed, shall constitute prima facie evidence of knowledge on the part of the person or persons having custody or control of the premises where such devices are located of the existence thereof and the effect of such devices or persons to unlawfully take or steal gas from the equipment installed by or used by the utility furnishing or making gas available to consumers and shall bring such person or persons prima facie within the scope, meaning and penalties of this ordinance.

Any person, firm, or corporation that shall fail to comply with or violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum of not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00) or thirty (30) days imprisonment or both fined and imprisonment or the license of such person, firm, or corporation may be revoked, or both fine and revocation of license may be imposed. REFERENCE: West Helena Ord. No. 481.

11.24.13 Non-liability of city This ordinance shall not be construed as imposing upon the city any liability or responsibility for damages to any person injured by a defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the city or any official or employee thereof be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or certificate of inspection issued by the Inspector.

REFERENCE: West Helena Ord. No. 481.

**CHAPTER 11.28**

**CONDEMNED STRUCTURES**

Sections:

- 11.28.01 Unlawful
- 11.28.02 Definitions
- 11.28.03 Summary abatement
- 11.28.04 Abatement in other cases
- 11.28.05 Abatement by owner
- 11.28.06 Appeal procedures; hearing

11.28.07	Abatement by city
11.28.08	Enforcement of lien for clearance by the city
11.28.09	Personal liability of owner
11.28.10	Cost of abatement; low income, elderly persons
11.28.11	Overhead charge; civil penalties
11.28.12	Structures not equipped with sewer and water

11.28.01 Unlawful 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 which constitutes a nuisance and which is found and declared to be a nuisance by resolution of the City Council. The city hereby adopts the Standard Unsafe Building Abatement Code, 1985 Edition.

REFERENCE: West Helena Ord. No. 1433; 2001-10.

#### 11.28.02 Definitions

**Abatement** means the removal, stoppage, prostration, or destruction of that which causes or constitutes a nuisance, whether by breaking or pulling it down, or otherwise destroying, or effacing it.

**Owner** means the owner of records based on the County Assessor's record or any person with legal, financial or equitable interest in the property on which the alleged public nuisance exists at the time of the violation.

**Property** means any real property, premises, structure or location on which a public nuisance is alleged to exist.

**Public nuisance** means any fence, wall, shed, deck, house, garage, building, structure or any part of any of the aforesaid; or any tree, pole, smokestack; or any excavation, hole, pit, basement, cellar, sidewalk subspace, dock, wharf or landing dock; or any lot, land, yard, premises or location which in its entirety, or in any part thereof, by reason of the condition in which the same is found or permitted to be or remain, shall or may endanger the health, safety, life, limb or property, or cause any hurt, harm, inconvenience, discomfort, damage or injury to any one or more individuals in the city, in any one or more of the following particulars:

- A. By reason of being a menace, threat and/or hazard to the general health and safety of the community.
- B. By reason of being a fire hazard.
- C. By reason of being unsafe for occupancy, or use on, in, upon, about or around the aforesaid property.

- D. By reason of lack of sufficient or adequate maintenance of the property, and/or being vacant, any of which depreciates the enjoyment and use of the property in the immediate vicinity to such an extent that it is harmful to the community in which such property is situated or such condition exists.
- E. Summary abatement means abatement of the nuisance by the city, or a contractor employed by the city, by removal, repair, or other acts without notice to the owner, agent or occupant of the property except for the notice required by this ordinance.

REFERENCE: West Helena Ord. No. 01-17.

11.28.03 Summary abatement

- A. Whenever a complaint is made to the Code Enforcement Officer of the Department of Sanitation, hereinafter referred to as the Code Enforcement Officer, of the existence of a public nuisance, as defined in 11.28.02 of this ordinance, the Code Enforcement Officer shall promptly cause to be inspected the property on which it is alleged that such public nuisance exists. Should the Code Enforcement Officer find that a public nuisance exists, and that the public health, safety or welfare may be in immediate danger, then summary abatement procedures shall be implemented and the Code Enforcement Officer may cause the nuisance to be removed or abated. The Code Enforcement Officer may notify the Building Inspector/Fire Chief if the public nuisance involves a building that appears structurally unsafe. The Building Inspector/Fire Chief, upon being notified by the Code Enforcement Officer shall cause the building on which it is alleged such public nuisance exists to be inspected and submit a written report of such inspection and the findings to the Code Enforcement Officer.
- B. When summary abatement is authorized, notice to the owner, agent or occupant of the property is not required. Following summary abatement, the Code Enforcement Officer shall cause to be posted on the property liable for the abatement a notice describing the action taken to abate the nuisance.

REFERENCE: West Helena Ord. No. 01-10.

11.28.04 Abatement in other cases

- A. If, after inspecting the property on which the nuisance is reported, the Code Enforcement Officer declares the existence of a public nuisance, but the nature thereof is not such as to require the summary abatement of such nuisance, then, regular abatement procedures shall be followed. Photographs and reports of the findings and inspections shall be made and filed with the Department of Sanitation.

- B. The Code Enforcement Officer shall determine the individual, firm or corporation who, from the records in the County Assessor's Office, appears to be the titled owner of the aforesaid property and immediately cause a written notice to be served on such individual, firm or corporation by personal service or by leaving a copy of the notice at the usual place of residence or business of such owner, or address of such owner as shown in the County Assessor's records, or by copy mailed to such owner at such place or address by United States certified mail return receipt. If service of such written notice is unable to be perfected by any of the methods described above, the Code Enforcement Officer shall cause a copy of the aforesaid notice to be published in a newspaper of general circulation in the city, once a week for two consecutive weeks, and shall further cause a copy of the aforesaid notice to be left with the individual, if any, in possession of such property on which it is alleged such public nuisance exists, or if there is no individual in possession thereof, the Code Enforcement Officer shall cause a copy of the notice to be posted at such structure, location or premises. The Code Enforcement Officer shall also determine from the County Assessor's Office who is the lienholder of the property, and, if any, cause a written notice to be served on such lienholder to the address, as documented in that office, by United States mail return receipt.
- C. The aforesaid notice to the owner, and lien holder, if any, of the property shall state clearly and concisely the findings of the Code Enforcement Officer with respect to the existence of a public nuisance. The notice shall further state that unless the owner thereof shall cause the abatement of the public nuisance, pursuant to the orders contained in the Code Enforcement Officer's notice, the public nuisance shall be abated by the city at the expense of the owner.
- D. Any person who is the record owner of the premises, location or structure at the time that an order pursuant to this ordinance is issued and served upon him, shall be responsible for complying with that order, and liable for any costs incurred by the city therewith, notwithstanding the fact that he conveys his interests in the property to another after such order was issued and served.
- E. It shall not be a defense to the determination that a public nuisance exists that the property is boarded up or other wise enclosed.

REFERENCE: West Helena Ord. No. 01-10.

11.28.05 Abatement by owner

- A. Within thirty (30) days after receiving notice to abate a nuisance, the owner, agent of the owner, or individual in possession of the affected property shall remove and abate such nuisance or show that no nuisance in fact exists. Such showing shall



be made by filing a written statement that no nuisance exists. The statement shall be filed with Code Enforcement Officer.

- B. The Code Enforcement Officer, upon written application by the owner within the thirty (30) day period after the notice has been served, may grant additional time for the owner to effect the abatement of the public nuisance, provided that such extension is limited to a specific time period. REFERENCE: West Helena Ord. No. 2001-10.

11.28.06 Appeal procedures; hearing

- A. The owner or occupant of the property who has been served with a notice pursuant to this ordinance that a public nuisance exists and that it must be abated within thirty (30) days, may, within seven (7) calendar days after receipt of such notice, make a written demand to the Code Enforcement Officer for a hearing shall be held within seven (7) calendar days following receipt by the Code Enforcement Officer of the written demand and at least two (2) days' notice of the hearing shall be given to the individual who made the written demand for the hearing.
- B. The City Council, hereinafter referred to as Committee, shall constitute the Appeals Board for purposes of this ordinance. The aforesaid hearing shall be conducted by the City Council. Such Committee may amend or modify the notice and/or order, or extend the time for compliance with the Code Enforcement Officer's order by the owner by such date as the majority of the Committee may determine. (Ord. No. 2006-15, Sec. 5.)
- C. The owner, agent of the owner, occupant and lienholder, if any, of the subject property shall be given the opportunity to present evidence to the Committee in the course of the hearing.
- D. In those instance where the nuisance has been abated by the city, the Committee shall have discretion to waive the cost of abating a nuisance in whole or in part, if, in the course of the hearing reviewing the decision, the Committee finds that nay of the following did not conform to the provisions of this ordinance:
1. The notice to remove the nuisance;
  2. The work performed in abating the nuisance; or
  3. The computation of charges.

REFERENCE: West Helena Ord. No. 2001-10.

11.28.07 Abatement by city

- A. Should any public nuisance not be abated at the expiration of time stated in the notice/order or within such additional time as the Code Enforcement Officer or Committee may grant, Code Enforcement Officer shall present the findings to the City Council. That any such house, building, and/or which is found and declared to be a nuisance by ordinance of the City Council will be condemned to insure to removal thereof as herein provided. The ordinance of the City Council condemning any house, building and/or structure which constitutes a nuisance will include in said ordinance 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.
- B. Thereafter, the Code Enforcement Officer shall have the authority to enter upon the property and abate the public nuisance found thereon. In abating such nuisance the Code Enforcement Officer may go to whatever extent may be necessary to complete the abatement of the public nuisance and should it be practicable to salvage any material derived in the aforesaid abatement, the Code Enforcement Officer may sell the salvage material at private or public sale at the best price obtainable and shall keep an accounting of the proceeds thereof.
- C. The proceeds, if any, obtained from the sale of any material salvaged as a result of an abatement of a public nuisance by the Code Enforcement Officer shall be deposited to the General Fund of the city and any deficiency between the amount so received and the cost of the abatement may be levied as an assessment against the property in question by the City Council and collected as any other assessment by the city; however, any other alternative collection method may be utilized by the city to recoup the deficiency. Should the proceeds of the sale of such salvaged material exceed the cost of abatement, the surplus, if any, shall be paid to the owner of the property from which the public nuisance was abated when a proper claim to the excess is established.
- D. In abating a public nuisance, the Code Enforcement Officer may call upon any of the city departments or divisions for whatever assistance shall be deemed necessary or may be private contract cause the abatement of the nuisance.
- E. The Code Enforcement Officer shall, after completing the removal and abatement, file a statement of costs with the City Clerk.

REFERENCE: West Helena Ord. No. 01-10.

11.28.08 Enforcement of lien for clearance by the city The Code Enforcement Officer is hereby authorized to enforce the liens provided for by this ordinance in accordance with A.C.A. 14-54-901 through 14-54-904, or as otherwise provided for in Arkansas law.

REFERENCE: West Helena Ord. No. 01-10.

11.28.09 Personal liability of owner The person who is the owner of the property at the time at which the notice required under 11.28.04 of this ordinance is posted shall be personally liable for the amount of the assessment including all interest, civil penalties, and other charges.

REFERENCE: West Helena Ord. No. 01-10.

11.28.10 Cost of abatement; low income, elderly persons

- A. Notwithstanding the other provisions of this ordinance, the cost of abating a nuisance shall be waived for low income and elderly persons if upon application it appears to the Code Enforcement Officer that the conditions set forth in subsection (B) are met.
- B. To be eligible for waiver of nuisance abatement costs a person must be classified as "low income," as defined by the Code Enforcement Officer, or
- C. Be more than 65 years of age and:
  - 1. A person living alone, whose total income for the preceding calendar year did not exceed one and one-half (1 ½ ) times the maximum amount a Social Security recipient at age 65 may have earned in that year without having any benefits withheld.
  - 2. The head of a household which household received a total income for the preceding calendar year that did not exceed two and one-quarter (2 ¼ ) times the maximum amount a Social Security recipient at age 65 may have earned in that year without having any benefits withheld.
- D. Additionally, all persons wishing to qualify for waiver of nuisance abatement costs must:
  - 1. Furnish proof of the age and/or income requirements as set forth above in the manner and form designated by the Code Enforcement Officer;
  - 2. Must own, or be in the process of purchasing the property from which the nuisance is abated; and

3. Be living on the property from which the nuisance is abated.
- E. The removal of the nuisance in question must have been required by the Code Enforcement Officer and the person requesting the waiver of costs must have been officially notified by the Code Enforcement Officer to remove the nuisance.
  - F. Applications for waiver of nuisance abatement costs shall be filed with the Code Enforcement Officer, on forms supplied by the city, within ten (10) days after receipt of a notice to remove a nuisance or a work order notice unless the Code Enforcement Officer extends the time for good cause shown. All information required to be given on such form shall be supplied and verified by the applicant.
  - G. The maximum amount that may be waived under this section for any on parcel of real property or any one person shall be Five Hundred Dollars (\$500.00) per calendar year.
  - H. No over charge or civil penalty shall be imposed for any real property for which a waiver, pursuant to this section, shall have been approved.

REFERENCE: West Helena Ord. No. 01-10.

11.28.11 Overhead charge, civil penalties

- A. Whenever a nuisance is abated by the city, Code Enforcement Officer shall keep an accurate account of all expenses incurred, including an overhead charge of twenty-five percent (35%) for administration and a civil penalty of Two Hundred Dollars (\$200.00) for each nuisance abated.
- B. When the city has abated a nuisance maintained by any owner of real property, for each subsequent nuisance that is abated by the city within two (2) consecutive calendar years concerning real property, owned by the same person, an additional civil penalty of fifty percent (50%), minimum of Fifty Dollars (\$50.00), of the cost of abatement shall be added to the costs, charges and civil penalties provided for in subsection (A). The civil penalty shall be imposed without regard to whether the nuisances abated by the city involve the same real property or are of the same character.

REFERENCE: West Helena Ord. No. 01-10.

11.28.12 Structures not equipped with sewer and water

- A. No person shall lease, sub-lease, rent, dwell-in, reside-in, or occupy any building, dwelling, or other structure within the city of Helena-West Helena unless said structure is equipped with functioning sewer service, where such service is accessible, and hot and cold running water.
- B. Any person who shall lease, sub-lease, rent, dwell-in, or occupy any building, dwelling, residence, business, or other structure within the city of Helena-West Helena not equipped with functioning sewer service, where accessible, and hot and cold running water, for more than seven (7) days shall be guilty of misdemeanor, and subject to a fine of One Hundred Dollars (\$100.00) per day, and each and every day such property is so occupied shall constitute a separate and distinct offense, and punishable as such.
- C. An additional remedy to safeguard the health and safety of citizens within the city of Helena-West Helena, the City Police Chief shall at the end of such seven (7) day period remove any inhabitants from such structure, and shall padlock the same until said structure is equipped with functioning sewer service, where accessible, and hot and cold running water. (Ord. No. 2008-17, Secs. 1-3.)

## CHAPTER 11.32

### OUTDOOR SIGNS

#### Sections:

#### 11.32.01 Moratorium

11.32.01 Moratorium. It will be necessary to issue a moratorium for building permits to construct signs within 1000 feet from the right-of-way on Highway 49 and Highway 49B, also known as Marin Luther King Drive, within the city limits of Helena-West Helena for one hundred twenty (120) days to allow time for a study to be determined whether or not any new signs should be permitted to be placed on the proposed scenic route in the future.

REFERENCE: West Helena Ord. No. 1617.

## CHAPTER 11.36

### PRIVATE SWIMMING POOLS

#### Sections:

- 11.36.01 Definition
- 11.36.02 Application for construction
- 11.36.03 Compliance with health laws
- 11.36.04 Fencing
- 11.36.05 Penalty

#### 11.36.01 Definition

**Private swimming pool** is hereby defined as any body of water containing more than one thousand five hundred gallons (1,500) of water, or having a depth of more than twenty-four (24) inches, to the top of the sidewall, used or intended to be used for swimming or bathing, and constructed, installed, or maintained in or above the ground outside any building, and used solely by the owner, purchaser under contract, lessee, tenant, or a licensee thereof, and his family and by friends invited to use it without payment of any fee.

REFERENCE: West Helena Ord. No. 706.

11.36.02 Application for construction Application for the construction, installation, or alteration and maintenance of a private swimming pool shall be made to the Code Enforcement Officer of the city by the owner, person in control of the property, or by the contractor who will construct or install the swimming pool. The application for a private swimming pool permit shall be accompanied by a One Hundred Dollar (\$100.00) fee. (Ord. No. 2006-15, Sec. 6.)

11.36.03 Compliance with health laws All private swimming pools shall be constructed, installed, maintained, and operated in accordance with all health and sanitation requirements of the state of Arkansas, the city, and the administrative rules of the Helena-West Helena Code Enforcement Officer, and the Standard Swimming Pool Code, 1997 Edition.

REFERENCE: West Helena Ord. No. 706; Ord. No. 2001-10.

11.36.04 Fencing The pool area shall be fenced in by an approved type of fence at least four (4) feet high, said fence to be built in accordance with the administrative requirements of the Helena-West Helena Code Enforcement Officer. Said fence shall have a self-closing gate or door with facilities for locking said gate or door at all times when the pool is unguarded, unattended or not in actual use.

REFERENCE: West Helena Ord. No. 706.

11.36.05 Penalty Any person violating any provision of this ordinance shall, upon conviction, be fined not more than One Hundred Dollars (\$100.00) for each offense. Each day such violation continues shall constitute a separate offense. (Ord. No. 2006-15, Sec. 7.)

## **CHAPTER 11.40**

### **STANDARD CODES**

#### Sections:

11.40.01 Standard codes adopted

11.40.01 Standard codes adopted The following codes are hereby adopted by reference as though they were copied herein fully:

Standard Amusement Device Code, 1997 Edition  
Standard Mechanical Code, 1997 Edition

REFERENCE: West Helena Ord. No. 2001-10.