

ORDINANCE NO. 99

**AN ORDINANCE TO ADOPT THE ARKANSAS
ENERGY CODE; TO MAKE IT A PART
AND PARCEL OF OTHER EXISTING BUILDING CODES;
TO REPEAL A PORTION OF ORDINANCE NO. 81 ;
AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of Goshen, by Ordinance No. 23, did adopt, by reference, various standard codes; and

WHEREAS, the City Council of Goshen, by Ordinance No. 81, did repeal Ordinance No. 23 , and adopt, by reference, various updated standard codes; and

WHEREAS, pursuant to A.C.A. 14-55-207, public notice was given of the City's intent to adopt the 2011 Arkansas Energy Code, as a technical code by reference as permitted by Ark. Code Ann. 14-55-207(b); advised that copies of each document were on file and available for public review and examination in the Office of the City Recorder; and per statute, three (3) copies of the 2011 Arkansas Energy Code are available in the Office of the City Recorder; and

WHEREAS, after due notice as required by law, the City Council now desires to adopt the 2011 Arkansas Energy Code as contemplated and required by Act 1165 of 2009 which is a newer version of the Arkansas Energy Code referenced in Ordinance No. 81.

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

SECTION 1: The following Codes are hereby adopted by reference, save and except the portions thereof as are hereinafter designated, modified or amended. All provisions of all codes

and appendices listed including title, scope, and administration, shall be in full force and effect as though they were copied herein fully word for word.

2011 Arkansas Energy Code

SECTION 2: This Code shall be part and parcel of the other building codes as adopted by Ordinance 81 insofar as enforcement responsibilities and penalties.

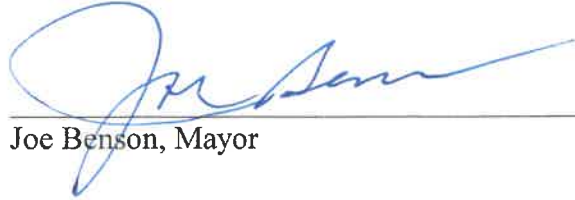
SECTION 3: This ordinance shall take effect and be in force from and after its passage, the public welfare requiring it.

SECTION 4: The provisions of this ordinance are hereby declared to be severable, and if any provisions shall for any reason be illegal or invalid, such holding shall not effect the validity of the remainder of this ordinance.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict. Specifically, those sections of Ordinance No. 81 which refer to the Arkansas Energy Code, are hereby repealed. In all other respects, Ordinance No. 81 is reaffirmed.

SECTION 6: EMERGENCY CLAUSE: The current building codes which refer to the Arkansas Energy Code are out of date and need to be replaced with the most current versions. Thus, it is the view of the City Council that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED BY the City Council of Goshen, Arkansas on the 8th day of
January, 2013.



Joe Benson, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Andy Bethell
Richard Seddon
Paula Anderson
Lanny Samuels

Names Of Those Voting NAY

None

Absent

Joshua Lockhart
Brian Buell

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Andy Bethell
Richard Seddon
Paula Anderson
Lanny Samuels

Names Of Those Voting NAY

None

Absent

Joshua Lockhart
Brian Buell