

**CHAPTER IX
BENTON COUNTY BUILDING CODE ADMINISTRATION**

§9.1 – INTERNATIONAL BUILDING AND FIRE PREVENTION CODES

§9.2 – LOCAL BUILDING CODE PROVISIONS

§9.3 – RESERVED

§9.1 – INTERNATIONAL BUILDING AND FIRE PREVENTION CODES

Benton County adopts, by reference through Ordinance 2005-35, the International Building Code (IBC), as prepared by the International Code Council, and any revisions or amendments thereto by the State of Arkansas as the building code for the unincorporated areas of Benton County, Arkansas. Therefore, the IBC as amended by the State of Arkansas shall serve as the official building code of the unincorporated County except as provided in §9.2 below.

§9.2 – LOCAL BUILDING CODE PROVISIONS

The following provisions are intended to supplement the version of the IBC adopted by Benton County, AR for applicability to unincorporated areas based on distinctive needs identified by the County.

A. Condemnation

1. Introduction: The Building Official of Benton County may find that through a condition deemed hazardous, unsafe, unsightly, and/or generally a public nuisance, a building or structure may be ultimately condemned by the County for action which may include a demolition order to mitigate such condition.
2. Purpose: Buildings that are deemed hazardous or unsafe may post a threat to the public health or safety via collapse or other condition that may affect intended or unintended visitors to the building or structure including but not limited to inspectors, utility representatives, or children. Buildings or structures in an unsightly condition can have a negative impact on the assessed value and marketability of adjacent or nearby properties as well as the value and perception of the broader community or neighborhood. The purpose of this section is to render safer and well-maintained the property and community at large.
3. Maintenance of Buildings and Structures: Buildings and structures in unincorporated Benton County shall be maintained in a safe, secure, and well-maintained and attractive state. Conditions deficient from this state may include:
 - a. Breach of building shell through walls, windows, doors, or roof.
 - b. Deteriorated chimney or foundation wall.
 - c. Unstable frame, porch posts, or other structural member.
 - d. Exposed electrical wiring.

4. Steps to Condemnation:

- a. Based on a complaint or other means of identifying a building or structure that is dilapidated, deteriorated, or in otherwise degraded condition, the Building Official or designee may find the property in violation of section 3 above.
- b. The Building Official or designee may assess a verbal warning or proceed with a formal Notice of Violation (NOV) to correct identified deficiencies as noted.
- c. Should the deficiencies not be corrected within a timely manner, the Building Official or designee may proceed to seek demolition of the building or structure through the Court via citation.

B. Demolition

1. Order of Demolition: If the Court finds in favor of the County in seeking the demolition of a building or structure, an Order of Demolition (OD) shall be issued. Such order shall provide a process in which the property owner must arrange for the safe and timely demolition of the building or structure and removal of the demolition debris to a designated facility.
2. Stay of Demolition: A property owner may request one (1) stay of demolition of up to three (3) months based on specific rationale including potential for historic designation.

C. Exemption- Agricultural Buildings

Agricultural buildings, as defined in Chapter 4 of this Ordinance, are exempt from the building permit process, inspections and fees.

D. Penalty

A violation of this ordinance shall be a misdemeanor and punishable by a fine not exceeding \$500.00 or double such sum for each repetition thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed \$250.00 for each day that the same is unlawfully continued.

§9.3– RESERVED