

1 State of Arkansas *As Engrossed: H3/5/19 H3/12/19*

2 92nd General Assembly

# A Bill

3 Regular Session, 2019

HOUSE BILL 1624

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5 By: Representatives Coleman, Ladyman

6 By: Senator L. Eads

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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE AUTHORITY OF CITIES AND TOWNS  
10 TO CONTROL BUILDING REGULATIONS; AND FOR OTHER  
11 PURPOSES.

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## Subtitle

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TO CLARIFY THE AUTHORITY OF CITIES AND  
16 TOWNS TO CONTROL BUILDING REGULATIONS.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 14-56-202 is amended to read as follows:

22 14-56-202. Additional powers of cities of the first class, cities of  
23 the second class, and incorporated towns.

24 (a)(1) The following enlarged and additional powers are conferred upon  
25 cities of the first class.

26 (2) ~~They shall have the power to~~ A city of the first class may:

27 (A) Regulate the building of houses;

28 (B) Provide that ~~no a~~ a house or structure ~~shall not~~ shall not be  
29 erected within the city limits except upon a permit to be issued by ~~such an~~ an  
30 officer ~~as the city council shall designate~~ governing body designates; and

31 (C) Provide that ~~no a~~ a permit ~~shall not~~ shall not be issued for the  
32 building of any house or structure deemed to be unsafe, unsanitary,  
33 obnoxious, or detrimental to the public welfare.

34 (b) ~~However, the~~ The authority to appoint and remove department heads,  
35 including the building official, ~~shall be~~ is governed by § 14-42-110  
36 ~~regardless of~~ without regard to the classification of the city or town.



1 (c)(1) The following enlarged and additional powers are conferred upon  
2 cities of the second class and incorporated towns.

3 (2) A city of the second class and an incorporated town may:

4 (A) Enforce building and safety codes for the building and  
5 construction of houses and other structures;

6 (B) Provide that a house or structure not be erected  
7 before a building permit is issued by a building official the governing body  
8 designates; and

9 (C) Provide that a permit not be issued for the building  
10 of any house or structure deemed to be unsafe, unsanitary, obnoxious, or  
11 detrimental to the public welfare.

12 (3) The authority given to a city of the second class and an  
13 incorporated town under this subsection does not include the authority under  
14 § 14-56-416 unless the city of the second class or the incorporated town has  
15 adopted and filed a land use plan and corresponding zoning ordinances under §  
16 14-56-101 et seq.

17 (d) This section does not:

18 (1) Authorize a city of the first class, a city of the second  
19 class, or an incorporated town to regulate the building of houses or  
20 structures in a manner contrary to other applicable law; or

21 (2) Restrict the authority of a city of the first class, a city  
22 of the second class, or an incorporated town under other applicable law.

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25 /s/Coleman

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28 **APPROVED: 3/27/19**  
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