

PUBLIC NOTICE

Citizens and Businesses in Van Buren, Arkansas should be aware that it is illegal for individuals or businesses to solicit or perform services within the Van Buren City limits without a “Privilege License,” as required under Van Buren Municipal Code 4.20.01 *et. seq.* (Ordinance 30-1974 as amended).

Pursuant to this City Ordinance it is “unlawful for any person, firm, individual or corporation, within the city limits of the city of Van Buren, Arkansas, to engage in, carry on or follow any trades, businesses, vocations, professions or callings without first having procured . . . [and] paid . . . [for] their license” Persons in violation of this ordinance “will be subject ” to a fine, up to twenty-five dollars (\$25.00) per day. See VAN BUREN MUNICIPAL CODE § 4.20.10.

Anyone in Van Buren hiring an individual or business to perform roofing, window, or siding repairs on their homes should make sure that the individual or business has obtained this license, and all necessary city permits. By doing business with a contractor that has obtained a City Privilege License, consumers will have more confidence that they will be dealing with someone who has contact information and owner information on file with the City. Consumers do need to be aware that having a City Privilege License does not in any way assure that the contractor is competent, honest, or fairly priced. As with any contractor you should check references, material supplies, and with other contractors before entering into a contract with any type of construction contractor.

Our office has already received complaints about questionable business practices by some of contractors bidding on repairs for damage caused by the April 9, 2008, storms. As a result we have sent out letters pointing out that the ARKANSAS DECEPTIVE TRADE PRACTICES ACT, A.C.A. § 4-88-101 *et seq.*, prohibits engaging in any “unconscionable, false, or deceptive act or practice in business, commerce or trade.” A.C.A § 4-88-301 specifically applies to services performed as a result of “natural disasters.” Violations of the ARKANSAS DECEPTIVE TRADE PRACTICES ACT are Class “A” misdemeanors, and can be punishable by up to \$1,000 fine, and/or a year in jail. A.C.A. § 5-4-201 (b) (1).

Under our current city regulations prior to any siding or roof repairs being started in the city limits, contractors or property owners are required to obtain a building permit and pay a \$20 inspection fee. This permit process will ensure that the Van Buren Building Department is aware of work projects, has all the contractor’s information, and that a Privilege License has been obtained with the City Clerk’s office. The inspection fee will basically cover the cost of sending a building inspector to the construction site to evaluate whether the repairs or work was done to our building and fire codes, and hopefully identify structural and safety issues before the contractor is given final payment and potentially leaves town. Questions or Complaints about this process or contractors doing storm damage repairs can be directed to the Van Buren City Clerk’s office, the Van Buren Building Code Enforcement office or Van Buren City Attorney Don Jenkins.

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