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**Comprehensive Development Plan: Jermuk as a  
Destination Spa & Winter Tourism Center**

**Volume 3 – Development  
Process Guidelines**

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Prepared by the USAID-funded Competitive Armenian Private Sector Project on behalf of the RA  
Ministry of Economy

**Comprehensive Development  
Plan: Jermuk as a Destination Spa  
& Winter Tourism Center**

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DISCLAIMER: The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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# 1. INTRODUCTION

The Jermuk tourism development project will increase the number of tourists, increase tourism generated income, and lead Jermuk to become a 'Center for Healthy Living' catering to high-end domestic and foreign tourists who seek to adopt and maintain an active and healthy lifestyle.

There is no question that Jermuk has a very high potential for tourism development and other economic opportunities. However, to achieve these goals and take advantage of other opportunities, Jermuk needs to have an integrated and comprehensive plan, the first step of which is the Local Development Framework (LDF) being developed through the Ministry of Economy with the assistance of the USAID Competitive Armenian Private Sector Project (CAPS). With a comprehensive approach, including sound urban and economic planning, these goals can easily be met given the unique attractions that Jermuk has to offer. One aspect of this comprehensive approach is a review of the planning processes and how such processes can best contribute to Jermuk's development as a tourist destination.

To determine the most efficient and effective planning process and structure for Jermuk, this document reflects best practices worldwide in planning processes and structure. The processes that have been proposed for Jermuk demonstrate how to implement improved practices in urban planning, particularly in the areas of community participation, devolved planning authority, separation of politics from the planning process, and processes for post-construction, such as maintenance regulation. This involves ensuring that the existing laws (many of which already reflect best practices) are carried out and enforced, and also introducing some new processes to improve upon the existing structure. This document furthermore aims to demonstrate that these processes can be easily adapted to the Armenian context over time for world-class planning in Jermuk which will expedite and maximize tourism and other economic development opportunities.

To assist the Republic of Armenia (RA) to achieve their vision of the future for Jermuk, a planning process has been outlined with clear short-term, intermediate, and long-term actions with the aim of reaching the desired tourism benchmarks, in Annex 1. These actions should allow RA to easily transition their planning processes to be more in line with international practice on urban planning, and spur economic development as the processes become more effective.

In addition to the application of these processes for Jermuk specifically, these planning process recommendations, and the LDF as a whole, can be viewed as a model to be replicated. The Government of Armenia may wish consider implementing similar processes around the country, in both the municipalities as well as the Marzes, as a broader implementation will allow more effective local governance in planning and economic development throughout the country, and therefore contribute to national tourism development goals.

The RA Government Program for 2008 touches on a number of areas relating to urban development. The text below is taken directly from the Program and outlines priorities:

*First, special attention will be paid to balancing the population settlement system through consistent introduction of multi-center dimensional development principles, overcoming regional disparities, neutralization of possible threats by unregulated urbanization, and the development and implementation of urban development programs directed to sustainable development of settlements. The Government will continue active measures to develop a complete database of national, regional*

*and local dimensional planning and surfacing documents that will serve as a basis for implementation of construction works, whilst ensuring wider participation of society in this decision-making process.*

*Second, the Government will continue to address issues of restoration of architectural heritage and historical environments of cities as a stimulus to preserve originality and attractiveness, and also to encourage the creation of new jobs. For implementation of programs on historical construction and urban restoration of settlements, public-private partnership principles will be applied upon researching and localizing the international experience.*

*Third, measures aimed at improving investment attractiveness and the business environment will continue through the progressive development pace of capital construction.*

*Importance will be placed not only on the increase in volume, but also on the continuous improvement in quality standards, and in the promotion of investment initiatives, especially in less strongly developed areas.*

*Fourth, the Government will follow up with measures considered important from the perspective of ensuring urban development quality standards, such as enhancement of technical documentation and urban development standards systems to internationally accepted standards, thereby helping inter-operations of construction production and services in a common market, modernization of technologies, and increase in design and construction quality,*

*Fifth, the Government will focus on ensuring the seismic security and reliability of structures through increased seismic preparedness projects, reduction of the impact of dangerous estrogeneic geological processes and man-made phenomena, including through development and implementation of the necessary, mainly preventive, engineering and protective measures in landslide areas.*

*Sixth, targeted state assistance programs for addressing the housing issues of homeless people will continue. Meanwhile, measures will be taken aimed at improving the housing conditions of socially vulnerable families, addressing the housing needs of minors without parental care, improving utility infrastructures, maintenance, use and management of housing stock in apartment buildings, introducing social housing stock, and provision of opportunities for young families to acquire apartments.*

*Seventh, supportive procedures will be introduced for young families to acquire apartments. Measures aimed at ensuring the accessibility of buildings and constructions for disabled and other groups with limited mobility will be continued.*

The Local Development Framework for Jermuk therefore tackles some of the issues outlined in the Government Program.

## 2. CURRENT PLANNING PROCESS

Based on a review of Armenian laws, decrees, and interviews, this section has been compiled to clearly outline current planning processes in Armenia, as a benchmark for moving forward. The documents reviewed were:

- Law on Civil Construction (Urban Design) (HO-217, adopted 09-06-1998)
- The Law on Property Tax (No HO-491-N, adopted 26-12-2002)
- Law on Local Self-Government (HO 337, adopted 21-06-2002)
- Law on Environmental Impact Assessments (HO-21, adopted 14-12-1995)
- Law on Tourism and Tourism Activities (HO-11-N, adopted 17-12-2003)
- Forest Code of the Republic of Armenia (No HO-211-N, adopted 24-10-2005)
- Land Code (HO-185, adopted 15-06-2001)
- Decree on processing and approval of the land zoning and utilization schemes (No 625-N, adopted 02-05-2003)
- Decree on regulation of processing, testing, adjustment, approval, and alteration standards of the residential, public, and industrial construction projects (No 812, adopted 21-12-1998)
- Decree on regulation of processing, testing, adjustment, approval, and alteration standards of the master plans of the areas (No 150, adopted 13-03-1999)
- Decree regulating the conditions for permission for construction and demolition processes (No 91, adopted 02-02-2002)
- Decree on approval orders to give architectural drafts (floor plans) (No 1473-N, adopted 29-08-2002)
- Law on Preservation and Exploitation of Historical and Cultural Monuments and Historical Places (HO-261, adopted 01-01-1999)
- Decree on orders to present the information concerning land owners, as well as the land users, constituting the interim or permanent owners of the government property to revenue bodies (No 629, adopted 10-10-2000)
- Law on the Infringement of Urban Design Regulations (No 96, adopted 02-02-2002)
- Decree on the assignment and alteration (changes) of the primary purpose (zone category) of the special protected natural zones and territories, including woodland (No 613-N, adopted 08-05-2003)
- Decree on maintenance, utilization, renovation and servicing of residential property (No 47, adopted 08-03-1997)
- Decree on the norms and standards concerning the change of the primary purpose of residential buildings, other constructions or parts of them (No 88, adopted 02-02-2002)
- Decree on expertise standards of construction documents (N96, adopted 02-02-2002)

Key actors in the process and their roles, based on current planning processes, are as follows:

Actor	Description	Role
Ministry of Urban Development	National Government Entity	<ul style="list-style-type: none"> <li>• Represent the National Government of Armenia interests in planning at the local level</li> <li>• Develop/manage master plans for municipalities</li> <li>• Upon receiving data from the Ministry of Economy on what will be done to develop a locality, Ministry of Urban Development creates a plan for how the activities will be carried out</li> </ul>
Department of Tourism,	National Government Entities	<ul style="list-style-type: none"> <li>• Represent the National Government of Armenia interest in their respective fields at the local level, including these</li> </ul>

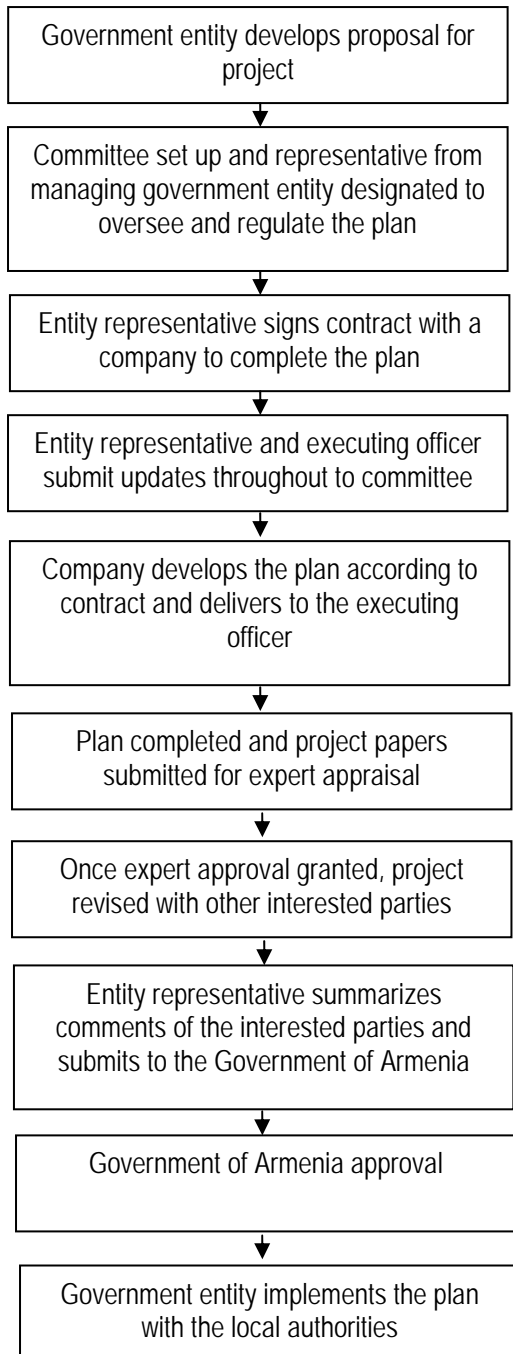
Ministry of Economy, Ministry of Sports & Youth, etc.		<p>subjects as they apply to planning</p> <ul style="list-style-type: none"> <li>• Provide comments on changes in zoning and land use</li> <li>• Ministry of Economy decides what needs to be done in order to develop a locality</li> </ul>
State Real Estate Cadastre	National Government Entity	<ul style="list-style-type: none"> <li>• Manages the zoning and land use regulations for Armenia</li> <li>• Approves changes to zoning based on recommendations from the municipality (through the Marz)</li> <li>• Eminent domain responsibility</li> <li>• Enforce land use zoning and approve exceptions to the existing zoning</li> <li>• Provide assessed values for property</li> <li>• Maintains land registry</li> </ul>
Marz Government	Regional Government	<ul style="list-style-type: none"> <li>• Approve requests &amp; recommendations from the municipality (regarding planning and zoning) and submits approved requests to appropriate National Government entities</li> <li>• Implement National initiatives within the region, including in the municipalities, if applicable</li> </ul>
Chief Architect (Local Government)	Appointed by Mayor	<ul style="list-style-type: none"> <li>• Makes recommendations for land zoning and utilization</li> <li>• Approve development proposals</li> </ul>
City Council (or Council of Elders)	Elected body representing the population of the local Marz or municipality. Elected according to law.	<ul style="list-style-type: none"> <li>• Approve master plans, neighborhood plans, specific development plans, and zoning &amp; land use schemes put forward by the Mayor</li> <li>• Approve proposals from Mayor regarding community property</li> <li>• Determine procedures for managing community property</li> <li>• Approve community real estate inventory</li> </ul>
Mayor (or Community Chief)	Executive branch of municipality. Elected according to law. May be dismissed by National Government.	<ul style="list-style-type: none"> <li>• Compile the draft of master plans, neighborhood plans, specific development plans, and zoning &amp; land use schemes</li> <li>• In certain cases, notify the community population regarding planned changes in urban development</li> <li>• Issue architectural/construction/demolition permits to developers, ensuring compliance with the existing requirements</li> <li>• Ensure construction is completed in an appropriate timeframe</li> <li>• Manage community property</li> <li>• Allocate community lands for public use</li> <li>• Supervise the development regarding the architectural and building assignments, and targeted utilization of the community lands, buildings and structures</li> <li>• Prevent and preclude unauthorized construction activities and land occupation, arrange for removal of construction resulting in negative externalities</li> <li>• Maintain the real estate of the community and compile yearly documentation on its inventory for city council approval</li> <li>• Issue permission for outdoor advertisements</li> <li>• Conduct of urban development and real estate cadastre activities of the community, and coordinate with the appropriate regional and national authorities</li> <li>• Carry out land balance of the community</li> <li>• Protect nationally-owned lands located in the territory of the community</li> <li>• Ensure security within the community borders</li> </ul>

		<ul style="list-style-type: none"> <li>• Oversee construction and capital repair of residential and other objects of social importance</li> <li>• Maintain normal functions of the municipality</li> </ul>
Developer	Private owner or business. Occasionally may be government entity	<ul style="list-style-type: none"> <li>• File application for development proposal and permits required by local and national government</li> <li>• Inform community as required of permit filing</li> <li>• Complete development in accordance with approved permits and within given timeframe</li> </ul>
Community	Can include anyone from the community other than those listed – citizens, businesses, associations, etc.	<ul style="list-style-type: none"> <li>• Some opportunities to participate but actual level of participation is found to be very low</li> </ul>

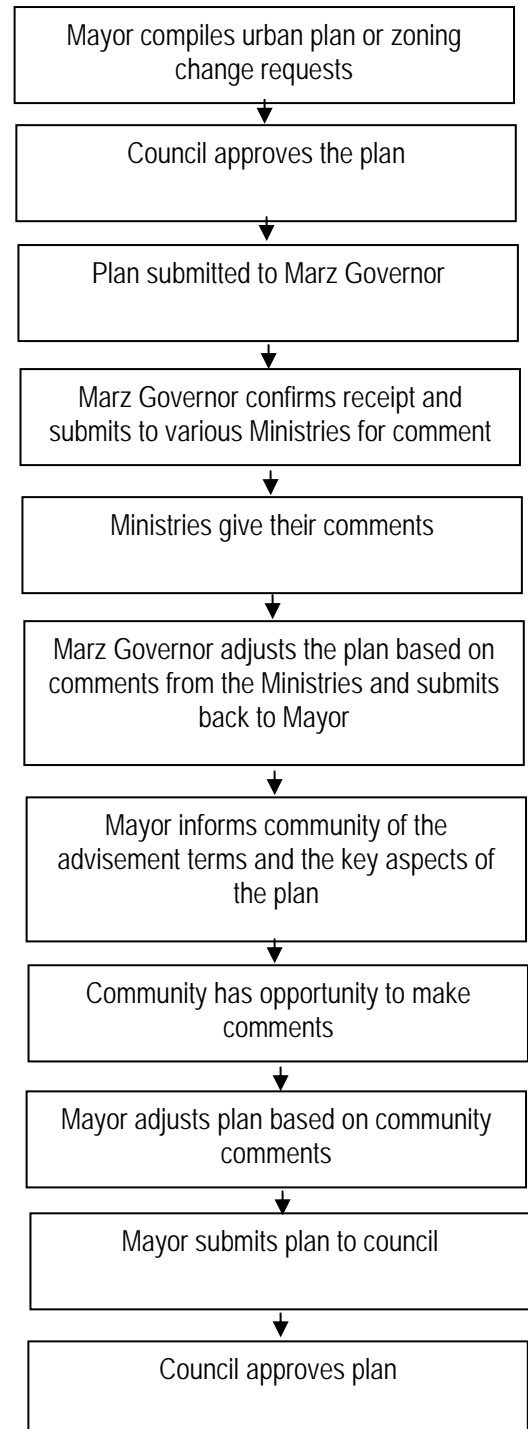
The following are organizational flow charts demonstrating the current roles for planning activities in Armenia. The first chart focuses on the development and approval of master plans for municipalities. For these activities, the laws and decrees are conflicting, which is why two separate flow charts are represented. The law of self-governance incorporates many best practices that are not observed in the decree on the regulation of master plans, and therefore it is recommended that the decree on the regulation of master plans be made obsolete. Based on our understanding of the legal system in Armenia, we believe that this decree was in fact already made obsolete by the adoption of the law of self-governance, however, it is strongly recommended that the Ministry of Economy and the Ministry of Urban Development work together to confirm that this is indeed the case, and to ensure that the law of self-governance is properly carried out and enforced.

## Current Planning Flow Chart

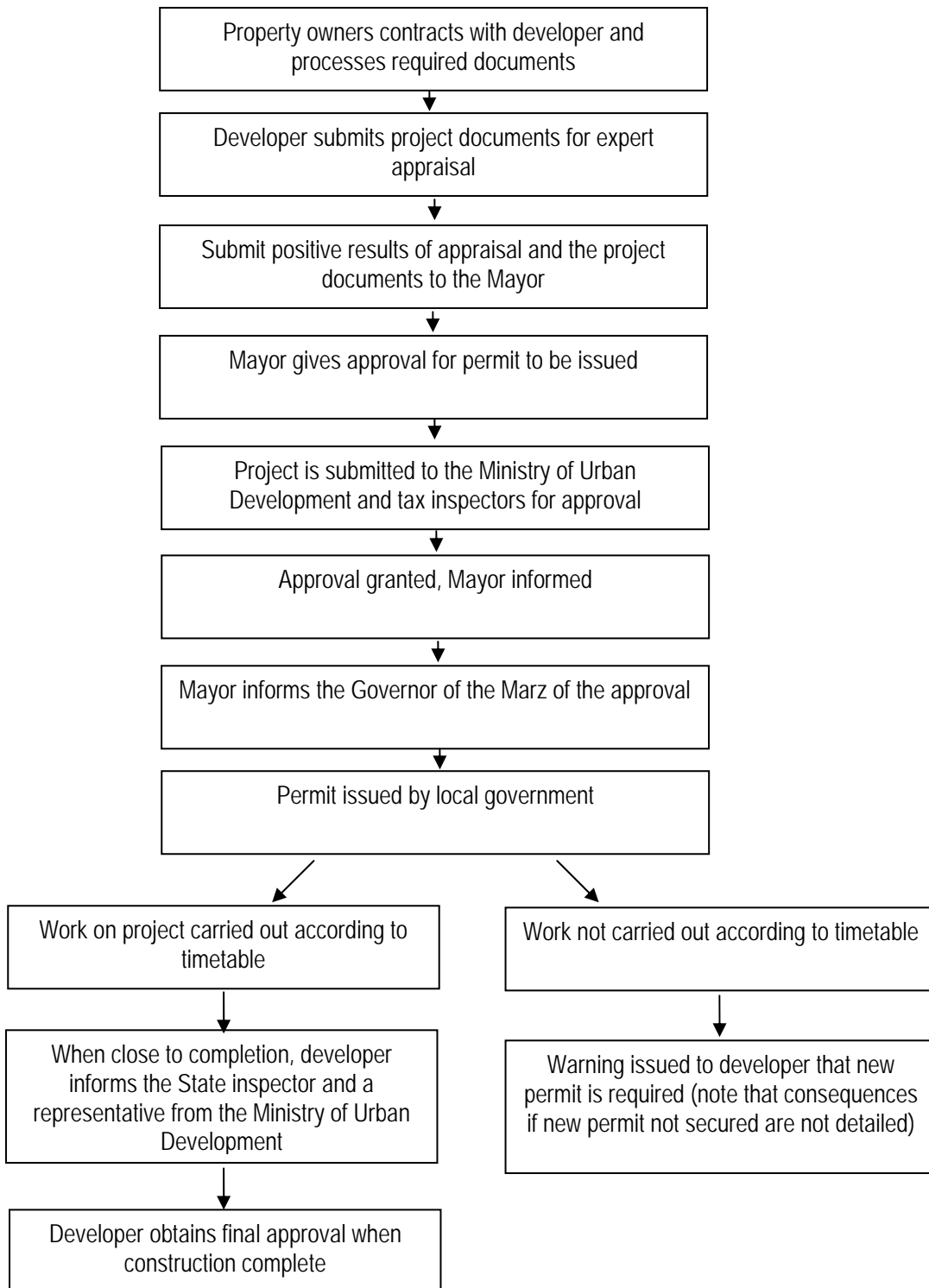
### The Decree on Regulation of the Master Plans



### Decree of Approval of Utilization Schemes and Local Self-Governance Law



## Current Development Approval Flow Chart



### 3. BEST PRACTICES AND THEIR APPLICATION IN ARMENIA

The Armenia planning processes, according to written laws and decrees, are moving in the right direction. One issue, as demonstrated in the previous section, is that the planning process still operates with authority held primarily at the national government level, versus best practice which utilizes a “bottom-up” approach. However, the UK Local Development Framework (LDF) merges national level involvement with devolved authority and other best practices. Therefore the UK model was selected as the primary model for these process recommendations with some adjustments to incorporate other useful models and to fit the Armenian context. Other best practices which were drawn upon include planning processes in the United States, Latvia, Lithuania, South Africa, the Czech Republic, and UN and other development agency reports and recommendations on planning practices, among others. These guidelines will allow Armenia to adopt an international best practice for urban planning in the context of tourism and economic development, while also recognizing the important role the National Government can play.

Based on the review of existing laws on planning, the Republic of Armenia is already following many best practices. These include licensing and permitting requirements for developers (which were significantly revised in recent years), public participation and announcements required by law, some devolution of authority and management of development by local governments, and social considerations such as accessibility for the disabled.

However, despite the fact that many of the existing laws are well-written, the government still needs to fully implement and enforce these laws, as well as make some additional changes (such as shifting roles to more appropriate government entities), to complete the process. There are a number of key principles that the government should follow in implementing this process in Jermuk and for the development of future laws on planning. These principles are based on the values that were most strongly highlighted among best practice documents, across all examples reviewed, and which are not already integrated into Armenia’s planning process. They are:

- Devolution of planning authority and funding for planning activities

Decentralization of planning and development authority to municipalities and Marzes results in greater incentives for the public to participate in the planning process and ensures that those who are making decisions about the locality are in fact those most familiar with the nuances of the community and local economy. In the case of Armenia, many of the existing laws state that certain activities will be carried out by local authorities, yet our understanding is that they require approvals at the national level, and funding for projects is distributed by the national government which restricts the ability of municipalities to carry out needed development projects in a timely manner. Due to this national level involvement, important development projects are more likely to be delayed for political and other reasons. There are also many activities which have yet to be devolved.

In the case of Armenia, many planning activities have not historically been carried out by the local authorities, therefore, it may be expected that local capacity to undertake and manage these projects will be an issue at the beginning. Therefore, as demonstrated in the action plan, it is suggested that the national government devolve authority for planning activities in a gradual manner, with the national government providing technical assistance and training to the local authorities over a period of time. Funding should also be devolved in a similar way, with the national government either allocating funding to local authorities for certain planning activities, or allowing

local authorities to collect their own fees and taxes to help fund these programs (fees are currently allowed, but the amounts are restricted by the national government).

Finally, given the Armenian context, it makes sense for the national government to continue to play a role. As demonstrated throughout this document, it is suggested that the national government model its role in local planning after the UK model, by managing the local development framework. This means that while the national government will retain authority over the framework and basic elements to be included in the local plans, and govern the laws regarding health, safety, and environmental standards, all specific planning activities and related funding will eventually be devolved to the Marzes or municipalities.

- Coordinate and streamline various national-level ministries and government entities to ensure comprehensive yet quick process

Currently the Armenian planning process allows for every ministry or government entity to play a role in planning at the municipal level and to put forward or delay planning projects based on their needs and interests. This process is particularly detrimental to the quick and effective progress of planning activities at the local level. Additionally, it leaves local authorities with many different interests to coordinate, even though these interests may not reflect the needs of the community, or even be in conflict with them. Public participation is also likely to be very low, if they feel their interests must compete (most likely, unsuccessfully) against national-level interests and politicians.

Therefore, it is recommended that the coordination of national level interests and needs be placed in the authority of a single ministry (the Ministry of Urban development or Ministry of Territorial Administration would likely be the most appropriate) so that the Marzes and municipalities can coordinate with a single representative of the national government rather than multiple ministries. The other Ministries and government representatives should have a strict deadline. In fact, these Ministries may even choose to place representatives within the localities as part of the planning authorities there, to ensure that they have a clear understanding of the local needs and can communicate directly with both the community and also the national level government.

The one exception would be that the Real Estate Cadastre should remain separate in the short to medium term. In many best practices, zoning is “part & parcel” of the planning authorities, rather than a separate unit. However, given the structural changes that would be required to shift this authority and the lack of capacity in this area at the local level, changes to this government entity would more appropriately occur after some other devolution has already occurred. Therefore, the Real Estate Cadastre has been incorporated into the proposed planning processes below. However, in the long term, land use and zoning should be devolved to local authorities as well, preferably with a zoning expert or advisor in each municipality or Marz, and any national level role should be incorporated into the Ministry of Urban Development.

- Community participation in planning issues

Community participation is a principle that has been increasingly important for planning in best practices around the world. In fact, where codes of ethics for planners exist, involving the community and ensuring the public’s voice is heard has become part of the ethical requirements. A section of the code of ethics for the American Institute of Certified Planners is attached in Annex 2 as an example of the importance that

community participation plays in the everyday planning activities in countries which demonstrate best practices in planning.

Community participation in planning provides a great benefit to the entire locality. Community members may be able to suggest opportunities or constraints which the planning authorities have not yet considered (such as the effect on businesses of a certain regulation or development, or potential investment) and also the plan is more likely to be successful if the entire community shares a common vision and works towards this vision. For example, if Jermuk wants to ensure that they have clean streets that are attractive to tourists, the community should also share the vision of becoming an important tourist destination, which will encourage them to maintain the cleanliness of streets. In this way, community involvement and buy-in of the process ensures a reciprocal process which will in turn help the vision to be realized in a faster and more efficient manner.

In addition, community involvement in the planning process leads to a higher quality of life because community members will be able to help the local authorities to understand how to address their needs and interests. This is not to say, of course, that all community concerns will always be addressed; it is still up to the planning professionals, such as the Chief Architect, to make appropriate and reasonable decisions based on the municipality's master plan and other concerns. However, in best practice, community concerns should be heard by the planning authorities, documented, and addressed where possible. Therefore, in the case of Armenia, there should be a special effort to encourage public participation in the long-term. To do this, the local government must address at least some significant concerns raised by the community, and follow through with activities that the community is excited about, to gain some quick wins and change mindsets about the value of their participation.

To help local authorities encourage public participation, the process has been proposed to be as simple as possible without taking away any essential steps. A simple process which outlines a specific role for the community will also help to encourage participation.

- Community education about planning issues and their role

Given that public participation is so important for the successful implementation of planning activities, and is considered to be so important that it is even considered an ethical issue in best practice, it is important to ensure that the community actually participates. In the Armenian context, this is not a civic role which communities have typically played, and so the government may need to take some steps to encourage community participation early on the process.

Given that management of a participatory planning process is a new concept for the local governments, the National Government may wish to have training sessions with the local mayors, governors, councils, and chief architects to help them to also better understand the planning process, the importance of community participation, and what they can do to encourage community participation.

One thing which should be done to assist with this, and which has also been done in other places around the world when community participation is low, is to carry out a public education campaign, to help communities understand that this is a civic role and let them know that the government does, in fact, want to hear from them. The community education program should make the community role clear and

straightforward, explain the master plan and other major planning regulations and processes, and explain why their input is needed.

Another initiative which the local government can undertake is to have meetings with major actors in the community. This would include business associations, tour guide associations, presidents of major companies, schools, or universities, and civic clubs or community associations (such as CUA), among others. These organizations, if they understand their role well, will then become partners in the planning process and will be able to help others in the community to understand their role. These major organizations should be deliberately invited and encouraged to participate in public meetings and other public planning activities to help jump-start the process of community participation.

- Separation of politics and planning activities

An essential aspect of best practice in planning is the separation of politics from planning activities. The main reason this is necessary is because by nature, politicians consider the short-term, whereas communities need to consider the long-term effects of planning decisions to be successful. In cases where the planning department or planning authorities are elected, or part of the political process (such as appointed by an elected official) they are more likely to try and achieve “quick wins” than to put into place the foundations for achieving the community’s vision (which is not always a easy or politically popular task). Additionally, planning experts selected by politicians may not always be the most qualified person for the job or knowledgeable about the community, which may undermine the goals and needs of a community.

Therefore, for Jermuk, it is recommended that a “planning department” be created as an entity separate from the executive and legislative branches of local government, and that the employment of the experts in this department not be dependent upon political will or choice. As Jermuk is a relatively small municipality, the planning department may consist of only 1-3 people, but they should be hired through an administrative process, which may potentially be set up through the Ministry of Urban Development. However, given that there is already a Chief Architect role, it is proposed that the planning department be created with this position “grandfathered in” as the director of the department, and if possible, to hire an inspector/permitting expert and a planning/zoning expert to help coordinate some of the other activities which are proposed to be devolved to the local government. This administrative department will also have other benefits, such as assisting developers by streamlining requirements from the different Ministries, and therefore helping to incentivize new development.

- Processes for Post-Construction

Armenia clearly has a number of building codes that must be followed throughout construction projects, culminating in state inspection and final documentation which must be submitted. The process during construction reflects best practices such as earthquake-resistant design, the requirements are well-detailed, and the consequences if these codes are not followed (refusal to issue needed permits) are also straightforward.

However, an area which appears to be lacking in the codes are maintenance of the buildings and properties after construction, and even where some responsibility is mentioned, consequences of non-compliance are not specified. Without clear maintenance codes and enforcement, buildings easily fall into disrepair, unfinished

and dangerous construction sites are left open, and the impression of the municipality can eventually become one of an abandoned town, rather than a vibrant tourist center. In the case of Jermuk, the adoption of maintenance codes could make a substantial difference in the way Jermuk is viewed by tourists, because maintenance codes would allow the government a legal path to renovate or eliminate derelict buildings. If Jermuk wishes to become a spa town on the same level as Karlovy Vary in the Czech Republic or Baden-Baden in Germany, it is essential that non-spa infrastructure of the town is as well-maintained as the spas themselves to give an overall feeling of health, safety, and relaxation.

Therefore, below in the recommendations, a planning process has been added for the enforcement of maintenance codes, which currently appears to be non-existent. The specifics of building maintenance codes are beyond the scope of the LDF, however, Jermuk is strongly encouraged to develop some sort of code and enforcement practice along these lines which is realistic for the Armenian context. An example of a building maintenance code is attached in Annex 3.

These principles have been drawn upon for the following final recommendations and action plan regarding planning process for Jermuk.

## 4. PROPOSED ORGANIZATIONAL STRUCTURE AND PLANNING PROCESS

After reviewing a number of best practice planning processes around the world, and taking into account the above principles, the following outlines the appropriate primary actors, and their roles:

Actor	Description	Role
Ministry of Urban Development	National Government Entity	<ul style="list-style-type: none"> <li>• Represent the National Government of Armenia interests in planning at the local level</li> <li>• Develop LDF template as guideline to help local governments in planning</li> <li>• Coordinate with other Ministries to ensure their needs and interests are captured in national LDF template</li> <li>• Distribute LDF to local governments</li> <li>• Designate a representative for each municipality or region to field questions</li> <li>• Maintain files of completed LDFs from municipalities</li> <li>• Provide technical assistance to municipalities for development of the LDF, and subsequently, plans. Also provide assistance or funding for related studies as required by law, if needed</li> <li>• Assist with the process of devolving authority and funding of planning activities to local governments over time</li> <li>• Set up a system for administrative hiring of the planning department officials at the local level and work with local governments to devolve this authority with time</li> </ul>
State Real Estate Cadastre	National Government Entity	<ul style="list-style-type: none"> <li>• Continue to manage the zoning and land use regulations for Armenia in the short to medium term</li> <li>• Approve changes to zoning based on local government requests</li> <li>• Add/change zoning categories as recommended in this document</li> <li>• Enforce land use zoning and approve exceptions to the existing zoning</li> <li>• Devolve zoning authority to planning agencies in the long term</li> </ul>
Marz Government	Regional Government	<ul style="list-style-type: none"> <li>• Manages municipality's compliance with the development of the LDF, ensures timely submission of the LDF to the Ministry of Urban Development</li> <li>• May add additional aspects to the LDF template for municipality's within its jurisdiction</li> <li>• Helps to resolve issues that may arise between developers and the municipality, or other municipality-based planning disputes</li> <li>• Maintains some other management and financial roles as currently required by law</li> </ul>
Chief Architect (Local Government)	Hired through administrative process based on qualifications	<ul style="list-style-type: none"> <li>• Manages relationship with the Ministry of Urban Development and the Marz</li> <li>• Overall responsibility for planning activities and the development of the LDF in the locality</li> <li>• Hires rest of planning department</li> </ul>

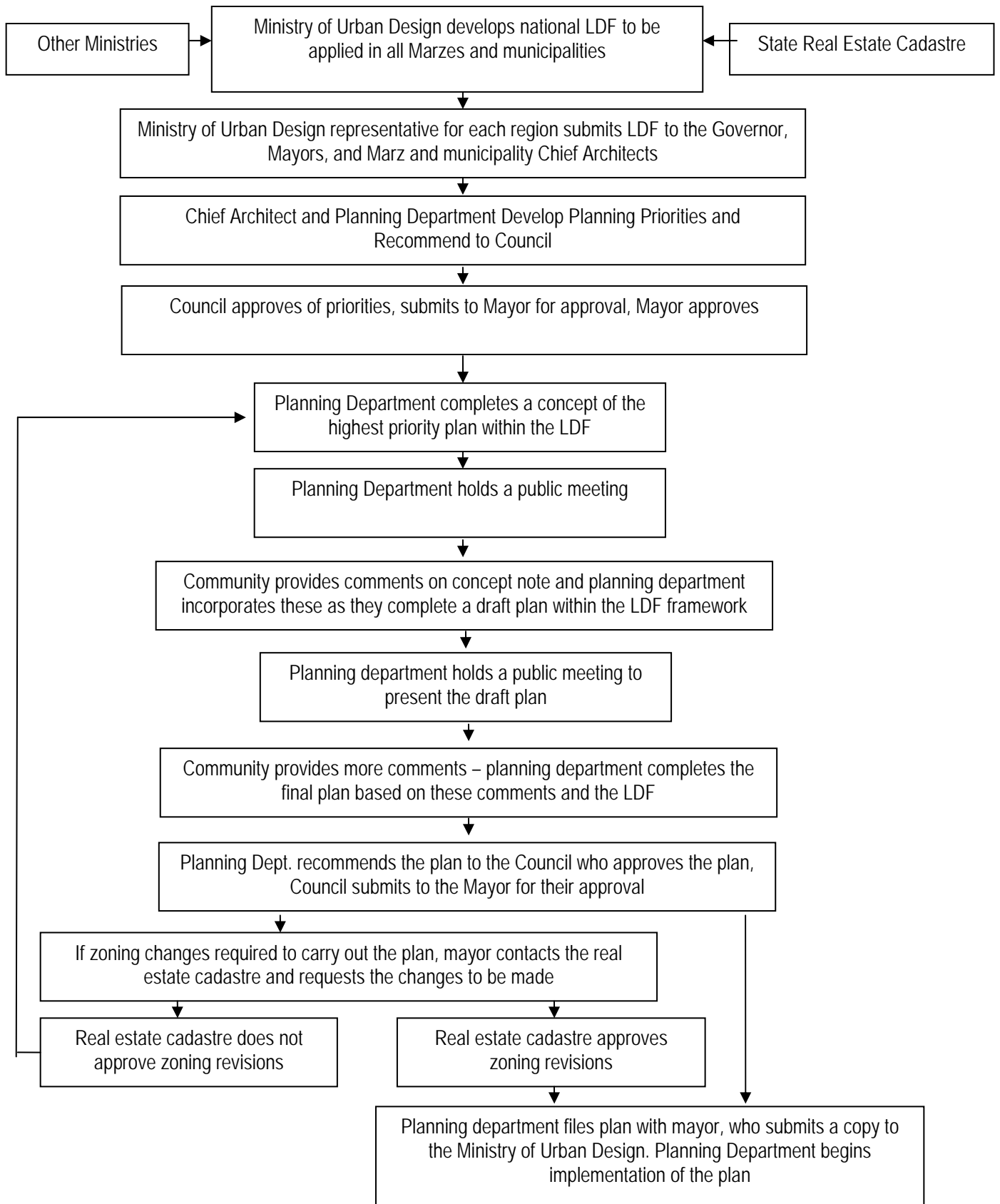
<p>Planning Department (Local Government)</p>	<p>Hired through administrative process based on qualifications. Chief Architect is director of the department. For Jermuk, should have at least 2 other members, one focused on inspection, permitting, and maintenance, and one focused on planning, zoning, and community outreach. Additional staff may be required for larger municipalities or Marzes.</p>	<ul style="list-style-type: none"> <li>• Develops LDF based on National Framework from the Ministry of Urban Development</li> <li>• Develops Master plans, Neighborhood plans, Growth Management Strategies, and other plans as needed based on local priorities</li> <li>• Submits all plans to city council and mayor for approval</li> <li>• Coordinates public meetings, invites community to public meeting, publishes announcements for public meetings</li> <li>• Carries out public outreach campaigns to increase community involvement in planning as needed</li> <li>• Coordinates meetings with developers and provides information to developers regarding the permit and application process</li> <li>• Assists developers with completion of project documents, where appropriate (either by funding, carrying out, or coordinating with national level ministries)</li> <li>• Receives and approves development applications and submits to council and mayor for approval</li> <li>• Issues permits and applications for development activities</li> <li>• Develops and updates building and maintenance codes</li> <li>• Inspects buildings and infrastructure for building and maintenance code compliance</li> <li>• Enforces building and maintenance codes</li> <li>• Requests funding from mayor and council for activities; may recommend fee schemes to help fund such activities</li> <li>• Receives and approves variances to the building and maintenance codes and existing plans where appropriate – submits variance recommendations to council and mayor for approval</li> <li>• Coordinate with municipality to develop incentive programs to encourage positive development</li> <li>• Responsible for redevelopment of condemned properties through sale or other investment – develop incentive packages with municipality as needed</li> <li>• Coordinate with other municipal officials to ensure all necessary stakeholders are involved</li> <li>• File LDF and final plans with Mayor's office</li> </ul>
<p>City Council (or Council of Elders)</p>	<p>Elected body representing the population of the local Marz or municipality. Elected according to law.</p>	<ul style="list-style-type: none"> <li>• Approve final recommended plans and development proposals from the planning department</li> <li>• Coordinate public hearings for plans and development proposals</li> <li>• Coordinate with other municipal officials to ensure all necessary stakeholders are involved</li> <li>• Propose fees as needed to support planning and development activities in the municipality and submit to Mayor for approval</li> <li>• Develop budget and submit to Mayor for approval</li> </ul>
<p>Mayor</p>	<p>Executive branch of municipality. Elected according to law. May not be dismissed by National Government.</p>	<ul style="list-style-type: none"> <li>• Approve final recommended plans and development proposals from the Council</li> <li>• File final LDF with the Ministry of Urban Development</li> <li>• Request zoning changes from Real Estate Cadastre based on locally approved plans</li> <li>• Approve new or revised fees to support planning and development activities</li> <li>• Approve municipal budget</li> </ul>

		<ul style="list-style-type: none"> <li>• Ensure someone in the municipality is responsible for assessing property tax values, reporting those values to the Real Estate Cadastre, and enforcing collection of taxes (should not be the planning department)</li> </ul>
Developer	Private owner or business. Occasionally may be government entity	<ul style="list-style-type: none"> <li>• File application for development proposal and permits required by local government, including all project documentation</li> <li>• Make adjustments to development proposal as required or requested by community and the city</li> <li>• Inform community as required of permit filing and public hearing</li> <li>• Complete development in accordance with approved permits</li> <li>• Maintain property according to building and maintenance codes following completion</li> </ul>
Community	Can include anyone from the community other than those listed – citizens, businesses, associations, etc.	<ul style="list-style-type: none"> <li>• Be informed of local government and planning process</li> <li>• Be informed of role that community can play</li> <li>• Participate in the planning process</li> <li>• Maintain properties according to building and maintenance code</li> </ul>

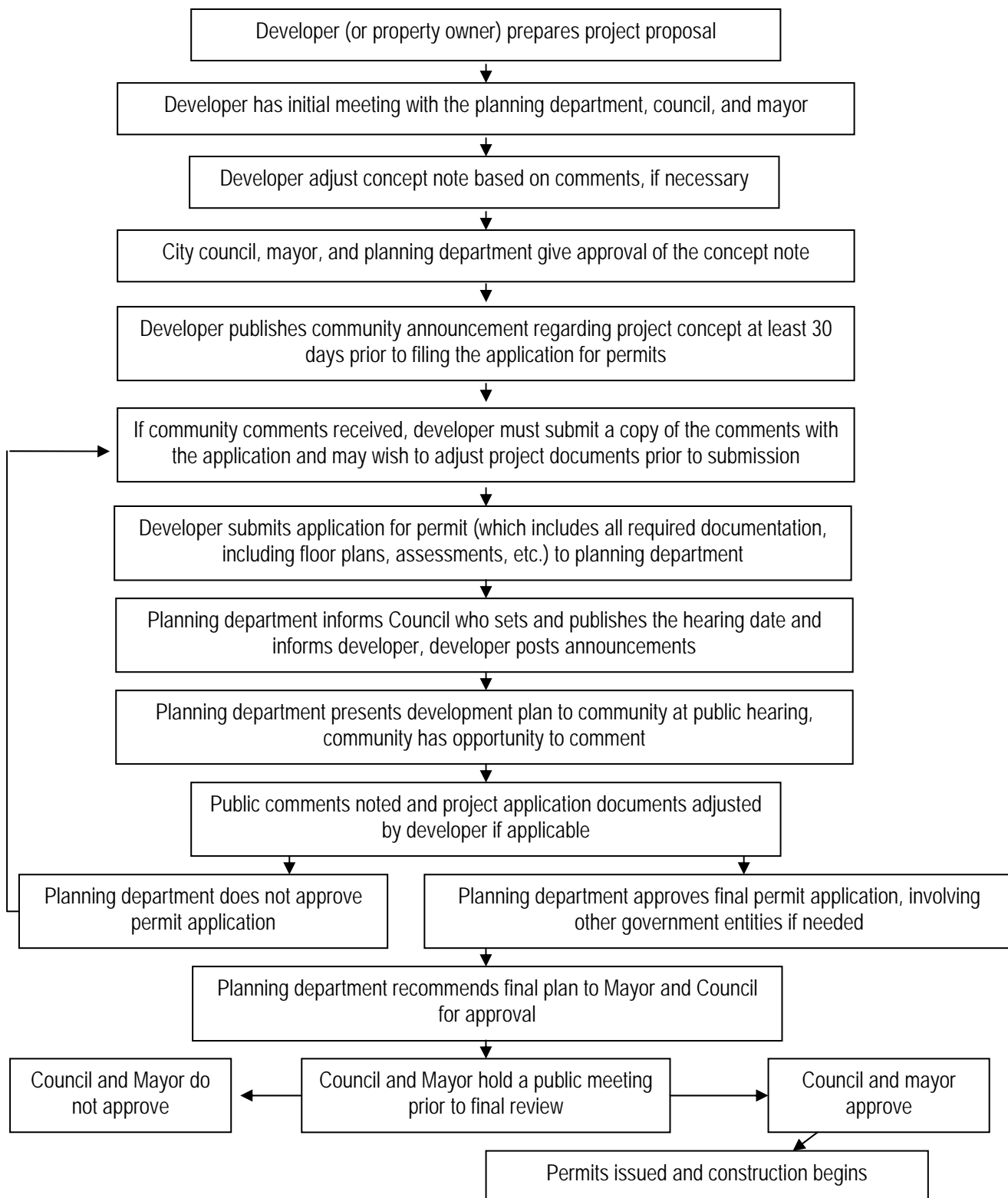
This same structure can also be adapted for the Marzes as well, by adapting the appropriate executive (mayor) and legislative (city council) branches to play these same roles.

To further demonstrate the roles of each actor and the process, organizational flow charts have been developed to demonstrate the recommended process according to best practice for both the broader LDF and planning process, as well as the development review process, at the micro level:

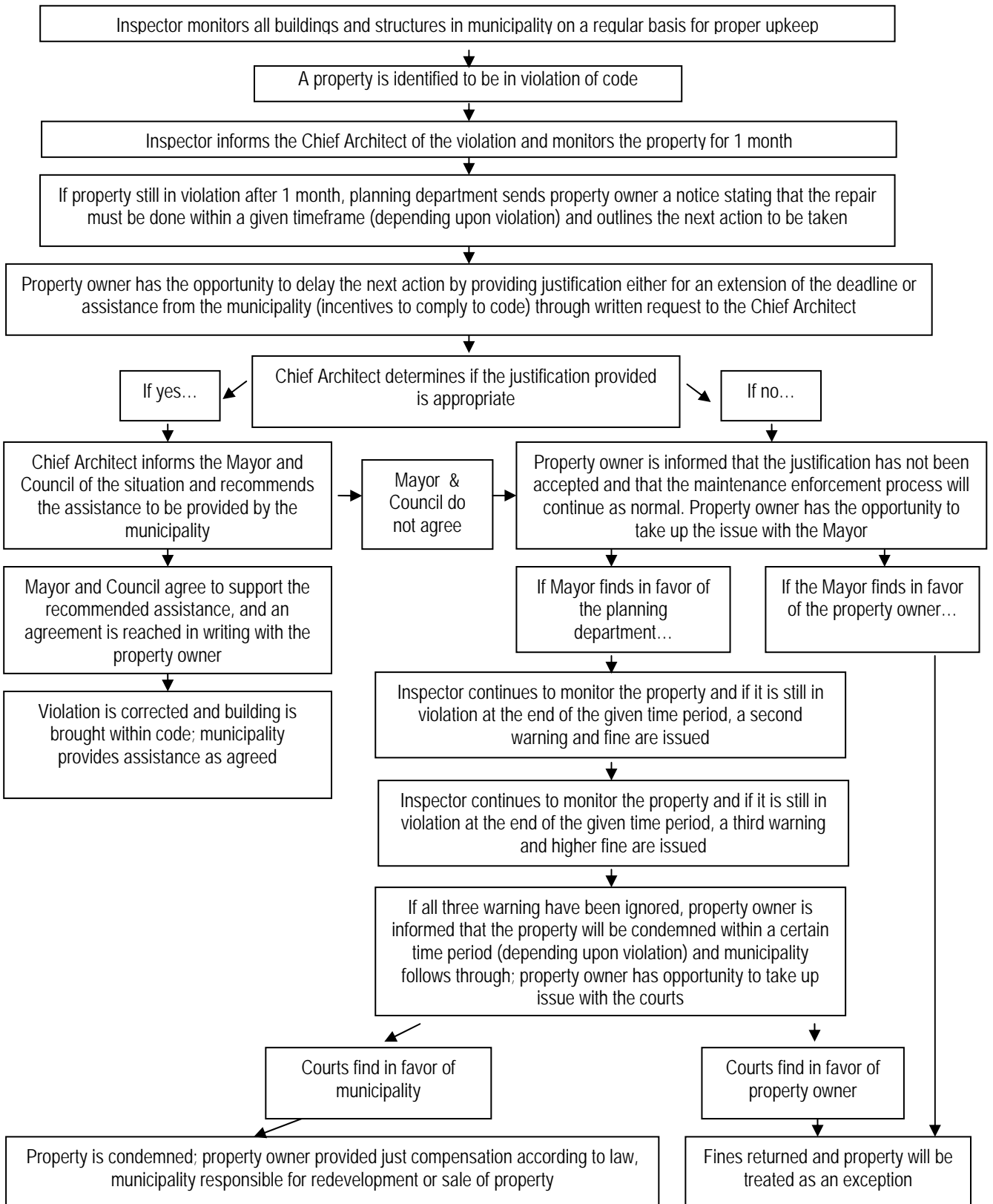
## Proposed Planning Flow Chart



## Proposed Development Approval Flow Chart



## For Maintenance and Upkeep of Existing Buildings



## **5.CONCLUSION**

Jermuk will easily become a tourist destination if some actions are taken, which include the implementation of a comprehensive plan for the city through the adoption of a LDF. As part of the development of the LDF, the processes recommended above, and the action plan detailed in Annex 1 have been provided to clearly outline the way forward for Jermuk to adopt best practices and complete the transformation to a modern and internationally accepted method of planning. With these improvements, Jermuk will have a plan and corresponding process in place for the achievement of its goals for tourism and economic development.

## 6. ANNEXES

### ***Annex 1 - Action Plan for Restructuring of the Planning Process***

<i>Action</i>	<i>Responsible Party</i>
<b>Short Term (0-3 years)</b>	
Develop an appropriate process for administrative hiring, hold a workshop with Marzes and municipalities to explain this process and their role (as this will be devolved over time), get feedback	Ministry of Urban Development
Decree on the regulation of master plans is confirmed, or made obsolete to ensure full implementation of the Law of Local Self-Governance	Ministry of Urban Development together with the Ministry of Economy
Ensure enforcement of existing laws and requirements	Various ministries
Development of a planning department for Jermuk. To be established through the creation of a revised role for Chief Architect as director of the planning department, with remaining staff (inspector(s) and planner(s)) hired administratively through Ministry of Urban Development's process.	Ministry of Urban Development together with Mayor and Chief Architect, and with technical assistance from experienced planners
Begin to streamline all planning from the National level through the Ministry of Urban Development. Other ministries should appoint a representative to deal with the Ministry of Urban Development and represent their planning-related concerns to them. Other Ministries primary functions will be to provide input to the template for the LDF and continue to enforce regulations for development under their departments (such as environmental assessments, etc.)	Ministry of Urban Development and all other Ministries
Ministry of Urban Development appoints representatives to deal with certain regions or municipalities who will streamline and coordinate concerns from the other Ministries and act as the main point person for all National-level planning issues for local planning department and governments. This representative may be based in Yerevan or in the localities themselves	Ministry of Urban Development
Develop an enforcement process for land use zoning requirements and enforce zoning in Jermuk	State Real Estate Cadastre
Hire (through administrative process developed by Ministry of Urban Development) a tax collection and enforcement official, responsible for assessing properties in Jermuk for tax purposes, reporting those assessments to the Real Estate Cadastre, and enforcing property tax collection. Position will be part of the local government, but report to the Real Estate Cadastre and other tax collection agencies	Ministry of Urban Development
Develop an informational booklet for developers interested in building in the municipality which will explain the development process, timeline requirement, studies and assessments required, and where to obtain the various approvals needed	Jermuk Planning Department
Development of a building maintenance code for Jermuk as a pilot project.	Jermuk Planning Department
Development of community centers and support to community associations to encourage citizen participation	Jermuk municipality
Meet with major stakeholders in Jermuk to get a better understanding of their concerns (to be an on-going process)	Jermuk Planning Department
Administrative and budgeting capacity building to local governments	Ministry of Urban Development & Ministry of Territorial Administration
Use the Jermuk LDF to develop a template through discussions with other Ministries and stakeholders and finalize the LDF template	Ministry of Urban Development

Ministry of Urban Development holds workshop with Marzes to explain the Local Development Framework template and explain their role in ensuring timely submission of the LDFs back to the Ministry of Urban Development and their authority to add additional requirement areas to the template for municipalities under their jurisdiction.	Ministry of Urban Development
Technical Assistance provided to Mayors, City Councils, and Planning Departments to explain the value of public participation, how to increase participation, and the community's role	Ministry of Urban Development & Ministry of Territorial Administration
Achieve "quick wins" for the community. Ensure implementation of some items requested by the community to show the impact their participation can have	Jermuk Planning Department
Clarify laws relating to collection of taxes to ensure that fees allowed are not capped, but are flexible and can be adjusted based on local needs	Ministry of Urban Development together with other appropriate Ministries
Workshop with local government officials to clarify their roles and authority for collecting fees and taxes	Ministry of Urban Development together with other appropriate Ministries
<b>Medium Term (3-8 years)</b>	
Tax collection and enforcement is devolved to the extent possible to the local government. Tax collection and enforcement official changes its reporting to the head of local government finances or other appropriate party. Position remains administratively-hired.	Head of Local Government Finances
If building maintenance codes successful in Jermuk, include as part of the LDF template	Ministry of Urban Development
Distribute the LDF template to other Marzes and municipalities and require completion and submission (by the local governments) to the Ministry of Urban Development within a given timeframe	Ministry of Urban Development
Complete LDF for locality	Mayors and Governors, with planning departments
Update or complete new Master Plans for localities, based on LDF	Planning Departments
Public Education Campaign to explain the community's role in the planning process, why their input is important, and encourage active participation	Planning Departments
If successful in Jermuk, strive to achieve "quick wins" for the community in other parts of Armenia. Ensure implementation of some items requested by the community to show the impact their participation can have	Planning Departments around Armenia
Real Estate Cadastre begins to be devolved to local governments by keeping only top management and database management activities in Yerevan and providing each locality with a representative from the Real Estate Cadastre, to be incorporated into the planning department. In this first phase, the Real Estate Cadastre representative will provide capacity building to the planning department and other members of the local government to understand the role of land use planning and zoning.	State Real Estate Cadastre,
Devolve more taxing authority to local governments	Ministry responsible for tax collection and budget disbursement
Ongoing capacity building to planning departments and local governments	Ministry of Urban Development & Ministry of Territorial Administration
<b>Long Term (8-15 years)</b>	
Real Estate Cadastre completely devolved into communities under the planning departments, and zoning can be used as a tool by the planning departments. The only activity that will remain in Yerevan, as part of the	State Real Estate Cadastre and Planning Departments, supervised by the Ministry of

Ministry of Urban Development, is the property database (which should also be accessible to all real estate cadastre officials in the local governments)	Urban Development
Ministries other than the Ministry of Urban Development no longer playing active roles in planning; roles are limited to periodic workshops to discuss updating the LDF template and incorporating new concerns from the other Ministries.	Ministry of Urban Development

## ***Annex 2 - Excerpts from the American Institute of Certified Planners Code of Ethics***

<http://www.planning.org/ethics/ethicscode.htm>

### ***Excerpt 1***

#### **A: Principles to Which We Aspire**

##### 1. Our Overall Responsibility to the Public

Our primary obligation is to serve the public interest and we, therefore, owe our allegiance to a conscientiously attained concept of the public interest that is formulated through continuous and open debate. We shall achieve high standards of professional integrity, proficiency, and knowledge. To comply with our obligation to the public, we aspire to the following principles:

- a) We shall always be conscious of the rights of others.
- b) We shall have special concern for the long-range consequences of present actions.
- c) We shall pay special attention to the interrelatedness of decisions.
- d) We shall provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.
- e) We shall give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them. Participation should be broad enough to include those who lack formal organization or influence.
- f) We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.
- g) We shall promote excellence of design and endeavor to conserve and preserve the integrity and heritage of the natural and built environment.
- h) We shall deal fairly with all participants in the planning process. Those of us who are public officials or employees shall also deal evenhandedly with all planning process participants.

### ***Excerpt 2***

#### **B: Our Rules of Conduct**

We adhere to the following Rules of Conduct, and we understand that our Institute will enforce compliance with them. If we fail to adhere to these Rules, we could receive sanctions, the ultimate being the loss of our certification:

1. We shall not deliberately or with reckless indifference fail to provide adequate, timely, clear and accurate information on planning issues.

### **Excerpt 3 (continued from “Our Rules of Conduct”)**

7. We shall not use to our personal advantage, nor that of a subsequent client or employer, information gained in a professional relationship that the client or employer has requested be held inviolate or that we should recognize as confidential because its disclosure could result in embarrassment or other detriment to the client or employer. Nor shall we disclose such confidential information except when (1) required by process of law, or (2) required to prevent a clear violation of law, or (3) required to prevent a substantial injury to the public. Disclosure pursuant to (2) and (3) shall not be made until after we have verified the facts and issues involved and, when practicable, exhausted efforts to obtain reconsideration of the matter and have sought separate opinions on the issue from other qualified professionals employed by our client or employer.

8. We shall not, as public officials or employees, engage in private communications with planning process participants if the discussions relate to a matter over which we have authority to make a binding, final determination if such private communications are prohibited by law or by agency rules, procedures, or custom.
9. We shall not engage in private discussions with decision makers in the planning process in any manner prohibited by law or by agency rules, procedures, or custom.

## **Annex 3 - Example of a Building/Property Maintenance Code from Hot Spring, Arkansas, USA, excerpts**

<http://www.ci.hot-springs.ar.us/pdfs/code/TITLE17.pdf>

*Table of Content of Code*

### **TITLE 17 PUBLIC HEALTH AND PROPERTY**

CHAPTER.

1. BUILDING CONDEMNATION AND REMOVAL.
2. PROPERTY MAINTENANCE CODE.
3. VACANT STRUCTURE CODE.
  - Art. I. In General
  - Art. II. Administration
  - Art. III. Maintenance Standards
  - Art. IV. Definitions
4. YARD AND GARAGE SALES.
5. RESERVED.
6. PUBLIC TREE CODE.

*Individual excerpts added below, to demonstrate sections which may be of particular interest for Jermuk*

#### **17-1-1. Nuisance properties 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 board of directors. (Ord. No. 4623, § 1, 5-5-97)

#### **17-2-2. Purpose; intent.**

The purpose and intent of this Code is to insure the public health, safety, and welfare insofar as they are affected by the conditions and maintenance of existing residential structures, dwelling units, rooming units, and premises and to insure consistent community standard are applied to all residential property.

#### **17-2-5.1. Scope.**

The provisions of this Code shall apply to all existing residential structures, dwelling units, rooming units, guestrooms and all residential use and all existing premises, and shall constitute the minimum requirements and standards for all premises, residential uses, equipment, facilities for light, ventilation, space, heating, sanitation, protection from the elements, safety from fire and other hazards, sanitary maintenance and the responsibilities of the owners and tenants.

#### **17-2-5.2. Responsibility.**

It shall be the owner's responsibility to insure residential property is maintained in compliance with this Code. Provided the occupants of a residential structure, dwelling unit, or rooming unit shall be responsible for keeping in a clean, sanitary, and safe condition that part of the structure, dwelling unit, rooming unit, or premises which they occupy or control.

#### **17-2-6.1. Repairs.**

All required repairs or alterations performed on a structure, dwelling unit, rooming unit, or guest room pursuant to the provisions of this Code shall require the owner, the owners agent, the occupant or the tenant to first obtain a rehabilitation permit. Rehabilitation permits shall be effective for 30 days from the date of purchase. All repairs required under the provisions of this code, with the exception of life safety violations, shall be completed within that 30 days. Life safety violation shall be corrected within 7 days. Any repairs to the electrical facilities, plumbing facilities, or mechanical facilities will require the applicable permits as prescribed in the City of Hot Springs Electrical Code, Plumbing Code and Mechanical Code. The administrator shall have authority to grant 30-day extensions to a rehabilitation permit provided reasonable progress has been made. No extensions shall be granted for life-safety violations. (Ord. No. 5085, §1(a), 4-15-02)

**17-2-11.1. Exterior property.**

All exterior residential and commercial property and premises shall be maintained in a clean, safe and sanitary condition. The owner or occupant shall keep that part of the exterior property which such owner or occupant controls in a clean and sanitary condition. In this regard, all exterior property shall comply with the following requirements.

**17-2-11.2. Weeds.**

All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, this provision shall not include cultivated flowers and gardens. Exception: Undeveloped property as defined in Article I.

**17-2-11.3. Exterior premises.**

Exterior premises including sidewalks, driveways and carports, porches, walkways, stairs, parking spaces, and similar areas not completely enclosed, shall be maintained free from hazardous conditions, building materials, appliances, household items, rubbish, debris, or other similar items.

**17-2-11.4. Dead trees.**

All premises and exterior property shall be maintained free from dead trees. Property owners shall removed dead trees that constitute a hazard to public or private property as stated in Ordinance No. 4960, the City of Hot Springs Public Tree Code. Further provided, all premises and exterior property shall be maintained free from fallen branches and limbs.

**17-2-11.5. Grading and drainage.**

All developed premises shall be graded and maintained to prevent the erosion of soil and the accumulation of stagnant water on the premises.

**17-2-11.6. Rodent harborage.**

All premises and exterior property shall be kept free from conditions which might become a harborage for rodents.

**17-2-11.7. Outside storage.**

All building materials, appliances, household items, and other similar items not designed or intended for outside storage shall be stored in a completely enclosed building or structure impervious to the elements.

**17-2-11.8. Exhaust vents.**

Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

**17-2-11.9. Accessory structures.**

Accessory structures, including detached garages, fences, and walls, shall be maintained structurally sound and in good repair. All exposed wood surfaces other than treated or exterior rated materials shall be covered with a protective coating.

**17-2-12.1. Noncompliance.**

If the owner or person responsible for a lot or parcel of property within the city, after being giving a written seven (7) day notice to comply, shall refuse or neglect to perform the duties in connection with his or their property as specified in said notice, the city is hereby authorized to enter upon said property and have said violation or violations removed. The cost incurred by the city in removing said violation shall be charged against the property and shall constitute a lien thereon. The authority granted to the city herein shall apply only to those violations listed in this article (Premises Code). (Ord. No. 5085, §1(b), 4-15-02)

**17-2-15. Inoperable motor vehicles unlawful.**

It shall be unlawful for any person to keep, maintain or store inoperable motor vehicles, as defined in Article I, upon public or private property within the City of Hot Springs.

**17-2-15.1. Exceptions.**

The following exceptions shall be allowed upon private property:

- a) Any vehicles stored within an enclosure as defined in Article I.
- b) One operable non-licensed vehicle will be allowed per address.
- c) Vehicles designed for off road use that are not capable of being licensed for use on the streets of Hot Springs. Further provided, these vehicles are operable and capable of being used in the manner for which they were designed. Included in this category are dune-buggies, four wheelers, three wheelers and motorcycles.

**17-2-23.7. Overhang extensions.**

All overhang extensions including, but not limited to, canopies, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. (Ord. No. 5085, §1(d), 4-15-02)

**17-2-23.8. Stairways, decks, porches, and balconies.**

Every exterior stairway, deck, porch, and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. Protective railings as prescribed in the City of Hot Springs Building Code shall be required on any unenclosed structure over 30 inches above ground level and on any steps or stairs with four or more risers. All protective handrails and guards shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**17-2-23.9. Chimneys and towers.**

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**17-2-23.10. Windows.**

Every habitable space shall have at least one window facing directly to the outdoors or to a court. The minimum total glazed area of a window in a habitable space shall be 8 percent of the floor area of such space. The total openable area of a window in a habitable space shall be equal to at least 45 percent of the minimum glazed area required. All glazing materials shall be maintained free from cracks and holes. All required windows shall be maintained to be openable and shall have security locking mechanisms installed.

**17-2-23.11. Bathrooms and toilet rooms.**

Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

**17-2-23.12. Insect screens.**

Every door, window, and other outside opening required for ventilation shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch. Exception: Screens shall not be required if the dwelling unit is supplied with a working force air system. (Ord. No. 5085, §1(e), 4-15-02)

**17-2-23.13. Exterior doors.**

All exterior doors, with the exception of manufactured homes shall have a minimum clearance of 6 feet 8 inches. All exterior doors and door assemblies and hardware shall be maintained in good condition and shall be weatherproof. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

**17-2-23.14. Basement hatchways.**

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain, and surface drainage water.

**17-2-23.15. Guards for basement windows.**

Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

**17-2-23.16. Means of egress.**

Every residential structure shall have safe, unobstructed means of egress leading to a safe open space at ground level that meet the requirements listed below.

**17-2-23.17. One and two family dwellings.**

The primary means of egress must be a door at least 28 inches wide leading to the outside at grade. Secondary means of egress can be a second door independent and remote from the primary door or a window at least 20 inches wide no higher than 24 inches above the floor and no more than 20 feet above grade. If windows are used as the secondary means of egress each habitable space within the structure must have a window as described above.

**17-2-23.18. Apartment buildings, rooming houses, motels and hotels.**

Two means of egress are required. Dwelling units, rooming units or guest rooms may use the requirements listed above provided all the units are on the ground floor and each unit has a door opening to the outside at grade. Structures in which units open into a common hallway or corridor shall have at least two independent remote means of egress leading to the outside at grade for each floor. Each corridor or hall shall have lighted exit signs and emergency lights on each floor. Exit signs and emergency lights shall be installed as prescribed in the City of Hot Springs Fire Prevention Code. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys or special knowledge.

**17-2-24.3. Interior surfaces.**

All interior surfaces, including walls, floors, ceilings, windows, doors, window frames, and door frames, shall be maintained in good, clean, and sanitary condition. Floor coverings in wet locations, (kitchens and bathrooms) shall be water impervious. Wall coverings around tubs or showers shall be water impervious material. (Ord. No. 5085, §1(f), 4-15-02)

**17-2-24.4. Stairs and walking surfaces.**

Every stair, ramp, landing, balcony, porch, deck, or other walking surface shall be maintained in sound condition and good repair.

**17-2-24.5. Interior doors.**

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

**17-2-24.6. Accumulation of rubbish or garbage.**

All interior property and the interior of every structure shall be free from any accumulation of rubbish or garbage.

**17-2-24.7. Disposal of garbage.**

Every occupant of a structure, dwelling unit, rooming unit, or guest room shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

**17-2-27.4. Lighting fixtures.**

Every habitable space and every public hall, interior stairway, kitchen, bathroom, laundry room, and utility room shall contain at least one electric lighting fixture.

**17-2-27.5. Smoke detectors.**

Every habitable space within a dwelling unit, rooming unit, or guest room shall have an approved, working smoke detector. Smoke detectors shall be battery operated and may also receive power from the building wiring. (Ord. No. 5085, §1(h), 4-15-02)

These excerpts represent some of the areas which have been referenced in this document. However, for a complete version of this example property maintenance code, please visit: <http://www.ci.hot-springs.ar.us/pdfs/code/TITLE17.pdf>