

ORDINANCE #98-9-1

BE IT ENACTED BY THE CITY COUNCIL IN AND FOR THE CITY OF ASH FLAT, ARKANSAS; AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE ADOPTING PREMISE AND VACANT LOT CLEANLINESS STANDARDS AND ESTABLISHING MINIMUM STANDARDS FOR THE MAINTENANCE IN CLEANLINESS FOR ALL PROPERTY WITHIN THE CITY OF ASH FLAT, ARKANSAS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS:

SECTION 1- It shall be unlawful for any person, firm, corporation, partnership, association of persons, owner, agent, occupant, or any one having supervision or control of any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved in the corporate limits of the City of Ash Flat, Arkansas to suffer or permit any of the following conditions.

A. Grass, weeds, or any other plant that is not cultivated, to grow to a greater height than ten (10) inches on an average on any individual lot, tract or parcel, or to grow in rank profusion on the premises; with the exception of property which is used for agricultural purposes.

B. Rubbish, trash, brush, dead trees, or any other objectionable, unsightly or unsanitary matter of what ever nature to accumulate or be present upon any lot, tract or parcel of land.

C. Grass, weeds or any plant that is not cultivated, to grow in rank profusion or otherwise, in, along, upon or across the abutting street , to a height of more than ten (10) inches on the average.

D. The storage of junk, abandoned automobiles and/or equipment for a period not to exceed thirty (30) days, or unless it is in connection with an automotive sales or repair business enterprise which is operated on the premises, and said repairs shall be made within sixty (60) days.

E. The open storage of ice boxes, refrigerators, or any other appliance/s for a period not to exceed thirty (30) days, and during storage period, all door/s latches and locks are to be removed or made inoperative in a manner to insure the safety of all citizens, unless it is in connection with an appliance sales or repair business enterprise which is operated on the premises, and said business shall have all door/s, latches and locks removed or made inoperative in a manner to insure the safety of all citizens, and said sales and /or repairs shall be made within ninety (90) days.

F. The accumulation of stagnant pools of water, or allow any form of vessel that

might accumulate water in which mosquitoes or any other insect may breed.

G. The property to be used for illegal dumping of any solid or liquid household, commercial, industrial, construction, or demolition waste, including but not limited to: garbage, trash, tin cans, bottles, rubbish, refuse, lumber, whether dumped, thrown, burned, spilled or abandoned; unless required permits have been obtained.

SECTION II - PENALTY: Any person, firm, corporation, partnership, association of persons, owner, occupant, agent, or anyone having supervision or control, who shall violate a provision of this Ordinance, or fail to comply therewith, shall be guilty of a Misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any provision of this Ordinance is committed or continued. Upon conviction of any such violation, such person shall be punished by a fine, not to exceed \$500.00 for the first offense, and not more than \$250.00 for each day's offense of a continuing nature.

SECTION III- Violations of the provisions of this Ordinance may be prosecuted by the issuance of a criminal information or by issuance of a citation by the Ash Flat Police Department as required by law.

SECTION IV- All Ordinances or part of Ordinances in conflict herewith are hereby repealed.

SECTION V- The provisions of this ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of the ordinance.

PASSED and APPROVED this 14th day of September, 1998.

Approved by: Gary P. Martin
Mayor

ATTEST:

Charlette Dooduen
Recorder