

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 2020-06-16-02

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR THE USE AND MAINTENANCE OF ALL LANDS LOCATED WITHIN THE CITY LIMITS OF CEDARVILLE, ARKANSAS; GIVING THE MAYOR AUTHORITY TO APPOINT A REPRESENTATIVE WHO SHALL HAVE FULL AUTHORITY TO, AT ANY GIVEN TIME, INSPECT PROPERTY FOR EXISTING CONDITIONS WHICH CREATE ONE OR MORE OF THE FOLLOWING DANGERS: HEALTH, FIRE OR FLOODING; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: All property owners within the City of Cedarville are required to remove garbage, rubbish, and other unsanitary or unsightly articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsightly things, place or condition which might become a breeding place for mosquitoes, flies, rodents, reptiles, and germs harmful to the health of the community.

SECTION 2: From and after the passage of this ordinance all burning will be governed by the laws, ordinances, regulations, and other requirements or restrictions imposed by the county or state

SECTION 3: If any property owner shall fail or refuse to correct the offending condition(s) set forth in this ordinance within the times fixed by this ordinance after receiving such notice from the City, he or she shall, upon conviction be fined \$75.00, and each day that such property owner refuses to comply with this ordinance after the expiration of the time limits provided shall be considered a separate offense, and will be fined \$75.00 per day until the offending condition is corrected or abated.

SECTION 4: After an on-sight inspection by the Mayor's representative and a formal notice issued by the City, the offending property owner(s) will have seven (7) days to comply. An additional seven (7) days may be granted if the property owner(s) can show just cause as to why a grace period is needed, the grace period will be granted only by the Mayor's representative and recorded by the City Recorder/Treasurer.

SECTION 5: Pursuant to Ark. Code Ann §§ 14-54-901 *et seq.* the City of Cedarville may take necessary steps to clean-up or abate any condition that is a violation of this ordinance seven (7) days after written notice has been provided to the property owner or lien holder and shall take the necessary steps to perfect a lien pursuant to state statute for the costs of said work.


SECTION 6: In case the owner of any lot or other real property is unknown or his whereabouts is not known or is a non-resident of this State, then a copy of the written notices hereinabove referred to shall be posted upon the premises and before any action to enforce such lien shall be had, the City Recorder/Treasurer shall make an affidavit setting out the facts as to unknown address or whereabouts of non-residents, and thereupon service of publication as now provided for by law against non-resident defendants may be had and an attorney ad litem shall be appointed to notify the defendant by registered letter addressed to his last known place of residence if same can be found.

SECTION 7: All prior ordinances that conflict with the terms and provisions of this ordinance are hereby repealed.

SECTION 8: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because of the currently existing unsightly and unsanitary conditions existing within the City of Cedarville and the hazards these conditions pose to the citizens. Therefore, an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 18th DAY OF August, 2020.

APPROVED:



MAYOR

ATTEST:



RECORDER/TREASURER