

ORDINANCE NO. 84-2

AN ORDINANCE REQUIRING PREMISES TO BE KEPT FREE FROM WEEDS, GRASS, GARBAGE, RUBBISH AND OTHER UNSIGHTLY AND UNSANITARY ARTICLES; REQUIRING PROPERTY OWNERS TO ELIMINATE, FILL UP OR REMOVE STAGNANT POOLS OF WATER OR ANY OTHER UNSIGHTLY THING, PLACE OR CONDITION WHICH MIGHT BECOME A BREEDING PLACE FOR MOSQUITOES, FLIES AND GERMS HARMFUL TO THE HEALTH OF THE COMMUNITY; PRESCRIBING A PROCEDURE TO BE FOLLOWED IN SUCH CASES; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TURRELL, ARKANSAS:

SECTION 1. All property owners within the Incorporated Limits of the City of Turrell, Arkansas are hereby required to cut weeds, grass, remove garbage, rubbish and other unsanitary and unsightly articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsanitary things, place or condition which might become a breeding place for mosquitoes, flies and germs harmful to the health of the community.

SECTION 2. If the owner or owners of any lot or other real property within the City of Turrell after the giving of twenty (20) days' notice in writing by the City Clerk who is hereby authorized to do so, shall refuse or neglect to perform the duties in connection with his or their property as specified in Section 1 hereof, the City Marshall is hereby authorized to enter upon the property and have said weeds, rank grass or other vegetation cut and removed, or eliminate any unsanitary and unsightly condition, and the cost thereof shall be charged against said premises and shall constitute a lien thereon.

SECTION 3. In case the owner of any lot or other real property is unknown or his whereabouts is not known or is a nonresident of this State, then a copy of the written notice hereinafter referred to shall be posted upon the premises and before any action to enforce such lien shall be had the City Clerk shall make an Affidavit setting out the facts as to unknown address or whereabouts of nonresidents and thereupon service of publication as now provided

by law against nonresident defendant may be had and an attorney ad litem shall be appointed to notify the defendant by registered mail addressed to his last known place of residence if the same can be found.

SECTION 4. The lien herein provided for may be enforced and collected in either one of the following manners:

(A) The lien may be enforced at any time within 18 months after work has been done, by an action in the Chancery Court of Crittenden County, Arkansas, or,

(B) The amount of the lien herein provided may be determined by a hearing before the City Council held after 30 days' written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then after publication of notice of such hearing in a newspaper having a bona fide circulation in Crittenden County for one (1) insertion per week for four (4) consecutive weeks; and the amount so determined at said hearing plus ten percentum (10%) penalty for collection, shall be certified by the City Council to the Crittenden County Tax Collector and by him placed on the tax books as delinquent taxes and collected accordingly, and the amount less three percentum (3%) thereof when so collected shall be paid to the City of Turrell, Arkansas.


SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 6. It has been determined that numerous unsightly lots and parcels of property overgrown in weeds and rank grass and containing garbage, rubbish and other unsightly and unsanitary articles exist in the Corporate Limits of the City of Turrell and that this Ordinance is necessary and vital to the health, welfare and safety of the public.

Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

APPROVED:

  
MAYOR

ATTEST  
  
CITY RECORDER

DATED this 17<sup>th</sup> day of April, 1984.