



## Legislation Details (With Text)

<b>File #:</b>	ORD-19:061	<b>Version:</b>	1	<b>Name:</b>	REPEAL AND REPLACE 105-259 OF THE JONESBORO CODE OF ORDINANCES TO PROVIDE FOR REQUIREMENTS IN BOARDING AND SECURING OF PROPERTIES
<b>Type:</b>	Ordinance	<b>Status:</b>			Passed
<b>File created:</b>	10/9/2019	<b>In control:</b>			Public Safety Council Committee
<b>On agenda:</b>		<b>Final action:</b>			12/2/2019
<b>Title:</b>	AN ORDINANCE TO REPEAL AND REPLACE 105-259 OF THE JONESBORO CODE OF ORDINANCES TO PROVIDE FOR REQUIREMENTS IN BOARDING AND SECURING OF PROPERTIES IN THE CITY OF JONESBORO				
<b>Sponsors:</b>	Code Enforcement, Inspections, Planning				
<b>Indexes:</b>	Code of Ordinances amendment				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
12/2/2019	1	City Council	Passed	Pass
11/19/2019	1	City Council	Held at second reading	
11/5/2019	1	City Council	Held at one reading	
10/15/2019	1	Public Safety Council Committee	Recommended to Council	Pass

AN ORDINANCE TO REPEAL AND REPLACE 105-259 OF THE JONESBORO CODE OF ORDINANCES TO PROVIDE FOR REQUIREMENTS IN BOARDING AND SECURING OF PROPERTIES IN THE CITY OF JONESBORO

WHEREAS, the City of Jonesboro desires to promote the health, safety, and welfare of the citizens and to preserve the property values and the beauty of the City of Jonesboro; and,

WHEREAS, the City of Jonesboro desires to eliminate vacant and blighted structures and to encourage the restoration of structures that are able to be rehabilitated within the City; and,

WHEREAS, the City Council has determined that it is in the best interest of the citizens of the City to have guidelines established for the boarding and securing of buildings.

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

SECTION ONE: That Ordinance 105-259 of the Jonesboro Code of Ordinances shall hereby be repealed and replaced with the following language:

**105-259        General Requirements for Boarding and Securing all Residential, Commercial, and Industrial Buildings.**

1.        Residential, Commercial, and Industrial buildings shall comply with these requirements for boarding and/or securing of premises in the following circumstances:
  - (a)        When necessary for the public health, safety, and welfare, as determined by the Chief Building Official, or his/her designee;
  - (b)        When the property has been declared a nuisance by the City Council;
  - (c)        When the property has been damaged by fire and is deemed a public health and safety risk by the Chief Fire Marshal, or his/her designee; or,
  - (d)        When the property is vacant and has had no utilities connected to the property for a period in excess of 60 days.
  
2.        The boarding of windows and doors of all structures shall comply with the following requirements:
  - (a)        All boarding materials shall be cut to fit the openings to be secured. Further, all materials shall be weatherproofed, and painted and maintained with a color of paint that blends with the overall structure.
  - (b)        All broken/damaged windows and doors shall be boarded and/or secured within seven (7) days of the incident causing the damage if they have not been repaired/replaced.
  - (c)        Boarding and securing of a structure does not relieve the owner of the requirement to diligently repair, rehabilitate, or demolish and remove the structure or condition.
  - (d)        All boarding materials shall be removed and all windows and/or doors installed or repaired to code within six (6) months. The Chief Building Official or his/her designee may extend this time upon a showing of:
    - (1)        A permit for repair of the premises being issued and work beginning on the premises;
    - (2)        A permit for demolition being issued on the premises;
    - (3)        An ongoing criminal investigation or insurance investigation which requires the structure to remain untouched;
    - (4)        A showing of undue hardship that warrants an extension of time. Undue hardship shall only be extended one time, for a period of no longer than six months.
  
3.        Any damage to the roof of a structure requiring a tarp to prevent water damage to the interior of the

structure must be repaired and the tarps removed within six (6) months of the incident causing the damage. The building official may extend this time upon a showing of any of the qualifying circumstances found in the sub-section (d) above.

4. All properties requiring the boarding and securing of windows and/or doors at the time of the enactment of this Ordinance, shall be boarded in compliance with the City boarding specifications set forth herein, within thirty (30) days from the effective date of this Ordinance.

5. All properties which currently have a tarped roof at the time of the enactment of this Ordinance shall have repairs completed and the tarp removed within six (6) months from the effective date of this Ordinance.

6. A violation of this Ordinance shall be punishable by a fine of no less than \$100.00. Each day a violation continues to exist shall be deemed a separate offense.

PASSED AND APPROVED THIS 2ND DAY OF DECEMBER, 2019.