



Legislation Text

File #: ORD-88:1359, **Version:** 1

AN ORDINANCE PROHIBITING THE KEEPING, STORING, AND/OR MAINTAINING OF UNSIGHTLY AND UNSANITARY ITEMS UPON COMMERCIAL AND/OR INDUSTRIAL PROPERTY WITHIN THE CORPORATE LIMITS: PROVIDING THE MANNER FOR REMOVAL AND DISPOSAL OF SAME: FIXING THE PENALTY THEREFORE: DECLARING AN EMERGENCY AND FOR OTHER PURPOSES. WHEREAS, in many areas in the City of Jonesboro, tires, iceboxes, paper, refrigerators, stoves, glass building materials, building rubbish, and/or similar unsightly and unsanitary items have been permitted to remain on commercial and/or industrial property for long periods of time; and

WHEREAS, said items constitute an attractive nuisance for children, provide harborage for rats, animals, and mosquitoes constituting a menace to the public's health, safety and welfare; and

WHEREAS, the storage of items on commercial and/or industrial property is unsightly, obnoxious, detrimental to the City and results in the depreciation of property value.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: That from and after the passage and approval of this ordinance, it shall be unlawful for the owner or occupant of a commercial and/or residential building structure or property to utilize the premises of such property for the open storage of any icebox, refrigerator, stove, tires, building material, paper, building rubbish and/or similar unsightly and unsanitary items.

SECTION 2: It shall be the duty and responsibility of every such owner or occupant to keep the premises of such commercial and/or industrial property clean and to remove all such items from the premises.

SECTION 3: Any owner or occupant that fails to remove all such previously listed and/or similar items, after written notice to do so from the Office of the City Code Enforcement Officer, within ten (10) days after receipt of said notice, shall be in violation of this ordinance and said items shall be removed by the City of Jonesboro and the costs of removal and/or storage of said items shall constitute a misdemeanor as outlined in Section 4. If said property, in violation of this ordinance, is owned by the owner of the real property and said items are removed by the City of Jonesboro, Arkansas, as outlined in Section 3, a lien shall be imposed upon said real property from which it was removed. The City Attorney is hereby authorized as directed to take the necessary legal action to establish and perfect a lien against such property.

SECTION 4: Any violation of this ordinance shall be deemed a misdemeanor and upon conviction shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00), and each day such violation occurs shall be considered a separate offense.

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

SECTION 6: The City Council has determined that unsightly and/or unsanitary items, are being accumulated upon commercial and/or industrial property throughout the corporate limits of the City and such

practice constitutes a health hazard as well as being unsightly and obnoxious and this situation should be corrected at once.

SECTION 7: Owing to the danger to public safety posed by the dangers, the above amendments are immediately necessary to the protection of the public peace, health and safety. Therefore, an emergency is declared to exist, and this ordinance shall be in effect from and after its passage and approval.

PASSED AND ADOPTED this 6th day of June, 1988.