



STATE OF ARKANSAS
City of Brookland

ORDINANCE NO. 2002-4

AN ORDINANCE PROHIBITING THE KEEPING, STORING, AND/OR MAINTAINING OF INOPERABLE MOTOR VEHICLES AND OTHER UNSIGHTLY AND UNSANITARY ITEMS UPON THE PRIVATE 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 Brookland, Arkansas, inoperable vehicles, inoperable equipment, lawnmowers, tires, iceboxes, refrigerators, paper, stoves, glass, building materials, building rubbish and/or similar items have been permitted to remain on private property for long periods of time; and

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

WHEREAS, the storage of inoperable motor vehicles and other items on private property is unsightly, obnoxious and detrimental to the neighborhood and results in the depreciation of property value.

NOW, THEREFORE; BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKLAND, 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 residential or commercial building structure or property to utilize the premises of such residential or commercial property for the open storage of any inoperable motor vehicle (not currently licensed), inoperable equipment, lawnmower, icebox, refrigerator, stove, tires, glass, building material, paper, building rubbish and/or similar unsightly and unsanitary items. An inoperable motor vehicle for the purpose of this ordinance is defined as one that is in a state of disrepair and incapable of being moved under its own power or one that does not have current, valid license plates.

SECTION 2: It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential or commercial property clean and to remove all such items from the premises. However, up to two (2) abandoned vehicles may be openly stored behind a privacy fence on residential or commercial property.

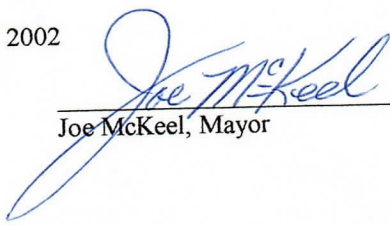
SECTION 3: ANY owner or occupant that fails to remove an inoperable motor vehicle or all such previously listed and/or similar items, after written notice to do so from the Office of the Mayor or Police Chief, within ten (10) days after receipt of said notice, shall be in violation of this ordinance and said items shall be removed by the City of Brookland and the costs of towing, 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 Brookland, 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 and 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 ONE HUNDRED DOLLARS, (\$100,00), 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.

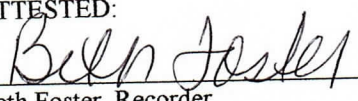
SECTION 6: It is found and declared by the City Council of Brookland, Arkansas, that the prohibitions of the conditions for which this ordinance prohibits is necessary for the public health, welfare and safety and an emergency being declared to exist, this ordinance shall take effect from and after its passage and approval.

APPROVED and PASSED this 14th day of May, 2002



Joe McKeel, Mayor

ATTESTED:



Beth Foster, Recorder