

ORDINANCE NO. 19-21
~~08-17~~

AN ORDINANCE REPEALING ORDINANCE 08-17; AND ENACTING A NEW ORDINANCE REQUIRING THE PROPER MAINTENANCE OF YARDS IN THE CITY OF GRAVETTE, ARKANSAS; ESTABLISHING A CLEAN UP PROCEDURE AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAVETTE, ARKANSAS;

Section 1. All yards are required to be properly maintained to avoid the unsanitary accumulation of trash, garbage, rubbish, or the like, and to avoid being overrun by weeds or grass higher than eight (8) inches tall, all of which could potentially be a threat to the public health.

Section 2. Exceptions to this provision include all lands, whether or not platted and/or subdivided, which have never been cleared and which remain in their natural state, may be maintained in an undeveloped, natural state, provided that it does not interfere with pedestrian traffic or obstruct vehicular vision or traffic, at which point the City is authorized to order the land to be maintained to the extent that pedestrian traffic and vehicular traffic can pass without hazard.

Exemptions: A) agricultural lands under cultivation, including land used for cultivating hay
B) construction under timely efficient progression

Section 3. That if undeveloped land allowed to remain in its natural state constitutes a substantial health, fire, flooding, aesthetic hazard, or detriment to inhabitants of the city because of the subject lands' close proximity to developed lands, or for other reasons, the city has the authority to order such lands maintained as provided in Section 1.

Section 4. The owners and occupants of all lands shall maintain all unpaved street rights-of-way, easements for utility and storm water drainage, walking or other purposes, unopened alleys, opened alleys other than the portion of same used for vehicular traffic, any of which adjoin said owners' or occupants' land so that weeds and grasses shall not exceed eight (8) inches in height. If any such right-of-way, easement, or alley is adjoined by the lands of two (2) property owners, then each owner and occupant shall maintain such right-of-way, easement, or alley to the midpoint thereof.

Section 5. The owners and occupants of all lands shall remove or cause to be removed all dead or dying trees and dead parts of living trees from such lands when such dead or dying trees or dead parts of trees shall constitute a hazard to personal safety or property due to the imminent possibility of their falling upon or being blown upon public property or property of other owners, or when such trees because of disease or decay constitute a nuisance and/or imminent health threat to other trees located on public property or property of other owners.


Section 6. If the owner(s) of any lot of any other real property within the City of Gravette, Arkansas, after giving seven (7) days notice in writing refuses or neglects to perform the duties authorized in connection with their property as specified in Sections 1-5 hereof, the City is hereby authorized to enter upon the property and have said weeds, rank grass, or other vegetation cut and removed, or eliminate any unsanitary or unsightly condition, and the cost thereof shall be charged against said premises and shall constitute a lien thereon, for a minimum amount of \$100.00.

Section 7. That the City of Gravette, Arkansas, may charge a "Clean up Charge" upon said premises with a minimum fee of \$100.00 per violation.

Section 8. That all Ordinances and Resolutions and parts thereof in conflict with provisions of this Ordinances are hereby repealed to the extent of such conflict.

Section 9. It has been determined 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 CLERK

STATE OF ARKANSAS
CITY OF GRAVETTE
I, Mike VonRee, Recorder of the City of Gravette, Benton County, Arkansas
In and for the City of the State aforesaid, do hereby certify that this
Instrument of writing is a true and complete copy, and the same appears of
record of yard Maintenance Ord.
being on file in my said office. I have here unto set my hand this 27th
day of June, 2019
Mike VonRee, Recorder
City of Gravette, Benton County, AR
By 