

ORDINANCE 03-05

AN ORDINANCE PROVIDING FOR AUTHORIZATION TO
REQUEST JUDICIAL DETERMINATION IF A
STRUCTURE CONSTITUTES A NUISANCE; AND FOR
OTHER PURPOSES.

Section 1: That it shall be and it is hereby declared to be unlawful for any person or persons, partnerships, corporation or association, to own, keep or maintain any house, building and/or structure within the corporate limits of the City of Cammack Village, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by Resolution of the City Council.

Section 2: That any such house, building and/or structure which is found and declared to be a nuisance by Resolution of the City Council will be subject to legal action by the City of Cammack Village in Pulaski County Circuit Court.

Section 3: In the event it is deemed advisable by the City Council that a particular house, building and/or structure be judicially declared to be a nuisance by a Court having jurisdiction of such matters, the City Council is hereby authorized to direct the City Attorney to bring such an action for said purpose in the name of the City, and the notice to be given to the owner(s) and mortgagee(s) and/or lienholder(s) of any such house, building and/or structure sought to be judicially declared a nuisance will be that as now provided by law in such cases in a court of equity or Circuit Court.

In the event the structure is declared a nuisance by a court of competent jurisdiction, all remedies available to said court of competent jurisdiction could be available to abate the nuisance, up to and including removal of the structure.

Section 4: If the City has any net costs in removal of any house, building, and/or structure, the City shall have a lien on the property as provided by A.C.A. 14-54-904. The lien may be enforced at any time within eighteen (18) months after work has been done, by an action in the Circuit Court.


Section 5: If, for any reason, any portion of this ordinance is held to be invalid, such invalidity shall in no way affect the remaining portions thereof, which are valid, but such valid portions shall be and remain in full force and effect.

Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED:

DATE: 12/9/03

APPROVED:


Harry A. Light, Mayor

ATTEST:

DATE: 12/9/03


Mary Lynn Walker, City Recorder