

ORDINANCE 2017-5

AN ORDINANCE PROHIBITING THE MAINTENANCE OR ALLOWANCE OF DILAPIDATED BUILDINGS OR STRUCTURES UPON PRIVATE PROPERTY AND REQUIRING PREMISES TO BE KEPT FREE FROM DEPLAPIDATED BUILDINGS OR STRUCTURES; PRESCRIBING A PROCEDURE TO BE FOLLOWED IN SUCH CASES; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEISER, ARKANSAS

SECTION 1.

It shall be unlawful for the owner, owners, or occupant of any lot or other real property within the City of Keiser, Arkansas to maintain or allow any dilapidated or unsightly building or structure on such a lot or real property.

SECTION 2.

All property owners within the City of Keiser, Arkansas are hereby required to tear down, remove and dispose of all dilapidated or unsightly buildings or structures existing on such property.

SECTION 3.

If the owner or owners of any lot or other real property within the City of Keiser, after receiving twenty (20) days' notice in writing by the City Attorney, shall refuse or neglect to perform the duties in connection with his or her property as described in Sections 1. and 2. hereof, the City Inspector of the City of Keiser is hereby authorized to enter upon the property and have said dilapidated or unsightly building or structure torn down and to have said property cleaned up and the cost thereof shall be charged against said premises and shall constitute a lien thereon.

SECTION 4.

In case the owner of any lot or other real property is unknown or his whereabouts is unknown or he is a non-resident of this state, then a copy of the written notice hereof referred to shall be posted upon the premises, and before any action to enforce such lien shall be had, the City Clerk shall make an Affidavit stating out the facts as to unknown address or whereabouts of non-residents, and thereupon service of publication as now provided for by law against non-resident Defendant may be had, and an attorney ad litem shall be appointed to notify the Defendant by registered letter addressed to his last known place of residence if same can be found.

SECTION 5.

The lien herein provided for may be enforced and collected in one (01) of the following manners:

(a). The lien may be enforced at any time within eighteen (18) months after work has been done, by action in Chancery Court; or,

(b). The amount of the lien herein provided for may be determined at a hearing before the City Council held after thirty (30) days written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then after publication of notice of such hearing in a newspaper having a bona fide circulation in Mississippi County for one (01) insertion per week for four (04) consecutive weeks; and the amount so determined at said hearing, plus ten percentum (10%) penalty for collection, shall be certified by the City Council to the Mississippi County Tax Collector, and by him placed on the tax books as delinquent taxes and collected accordingly, and the amount, less three percentum (3%) thereof , when so collected, shall be paid to the City of Keiser.

SECTION 6.

In addition to the lien provisions as provided herein, any owner, owners or occupants of any lot or other real property within the City of Keiser, Arkansas, after having been giving twenty (20) day's notice by the City Attorney's Office, who shall fail, refuse or neglect to correct or rectify said condition, shall be guilty of a violation of this Ordinance, and upon conviction therefor, shall be punishable by a fine of not less than Twenty-five (\$25.00) Dollars and not more than One Hundred (\$100.00) Dollars; and each day such violation occurs or shall continue, shall be considered a separate offense.

SECTION 7.

Said City shall have the option of enforcing this Ordinance by any one or more of the methods as provided for herein, and the use of one remedy as prescribed herein by said City shall in no way prevent or prohibit the City of Keiser, Arkansas from proceeding under different or other remedies as herein provided.

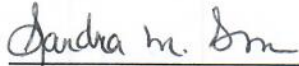
SECTION 8.

All ordinance and resolutions or parts therefore in conflict with this ordinance are hereby repealed.

SECTION 9.

It is hereby determined that this Ordinance is necessary and is 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.

Dated this 11th day of September, 2017.



MAYOR



TREASURER