

AN ORDINANCE PROHIBITING THE KEEPING, STORING, AND/OR MAINTAINING OF ABANDONED MOTOR VEHICLES AND OTHER ABANDONED ITEMS UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS; PROVIDING THE MANNER FOR REMOVAL AND DISPOSAL OF SAME; FIXING THE PENALTY THEREFOR; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, in many areas in the Town of Gosnell, abandoned motor vehicles, iceboxes, refrigerators, stoves, glass, building materials, building rubbish 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 the public's health, safety and welfare; and,

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

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF GOSNELL, ARKANSAS:

SECTION ONE: That from and after the passage and approval of this ordinance, it shall be unlawful for the owner or occupant of a residential building, structure or property to utilize the premises of such residential property for the open storage of any abandoned motor vehicles, iceboxes, refrigerators, stoves, glass, building material, building rubbish, or similar items. An abandoned 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 TWO: It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such abandoned items, as listed above.

SECTION THREE: Any owner or occupant that fails to remove an abandoned motor vehicle or all such abandoned items, after written notice to do so from the office of the Mayor, within ten (10) days after receipt of said notice, shall be in violation of this ordinance, and said abandoned items shall be removed by the Town of Gosnell and

the costs of towing, removal and/or storage of said items shall constitute a lien upon property from which it was removed. The Town's attorney is hereby authorized and directed to take the necessary legal action to establish and perfect a lien against such property.

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 FIVE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION SIX: The Council has determined that abandoned motor vehicles and other abandoned items, are being accumulated upon private property throughout the corporate limits of the town and such practices constitutes a health hazard as well as being unsightly and obnoxious and this situation should be corrected at once. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservation of the public health, peace and safety, shall be in full force and effect immediately upon its passage and approval.

APPROVED AND PASSED this 10 day of Sept., 1968.

AFFIX:

Walter E Maxwell
RECORDER

Anely S Bevil
MAYOR