

CITY OF DYER, ARKANSAS

ORDINANCE NO. 01-15-2008-3

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR THE USE AND MAINTENANCE OF ALL LANDS LOCATED WITHIN THE CITY LIMITS OF DYER, ARKANSAS; GIVING THE MAYOR AUTHORITY TO APPOINT A REPRESENTATIVE WHO SHALL HAVE FULL AUTHORITY TO, AT ANY GIVEN TIME, INSPECT PROPERTY FOR EXISTING CONDITIONS WHICH CREATE ONE OR MORE OF THE FOLLOWING DANGERS: HEALTH, FIRE OR FLOODING; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

**SECTION 1:** All property owners within the City of Dyer are required to cut weeds and grass growing thereon, remove garbage, rubbish, and other unsanitary or unsightly articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsightly things, place or condition which might become a breeding place for mosquitoes, flies, rodents, reptiles, and germs harmful to the health of the community. Said aforementioned conditions shall include but shall not be limited to the following: unused furniture, unmounted tires or wheels, limbs or other brush, building materials, abandoned toys, etc.

**SECTION 2:** All pastureland located within the City of Dyer must be cut, i.e. mowed, brushhogged, or cut for hay, at least twice every summer in order to control unsightly growth and reduce fire hazards during dry and dead seasons, unless enough livestock grazing on land will control growth.

**SECTION 3:** Any automobile, sitting on blocks with tires removed or any automobile sitting disabled used as a storage for garbage, or any automobile that does not have current licensing registration and valid insurance will be considered as one or more of the following conditions described in Section 1 and a removal order will be issued unless the owner can show just cause and full intentions as to restoring said automobile. This section shall not apply to race cars, classic cars, or automobiles in the process of being restored provided that they are stored either in the backyard of a residence, behind a fenced enclosure, inside a structure, or in another manner so that they are neither unsightly nor a danger to the health or safety of the community.

**SECTION 4:** If any property owner shall suffer the loss either total or partial of a house or trees by fire or storm, it shall be the owners' responsibility to remove debris from the property. Burning of such debris will be done by permit only. The permit bears no cost to the owner or tenant and only certain debris may be burned. Permits will be issued by the City Clerk after an on site inspection by the Mayor's representative.

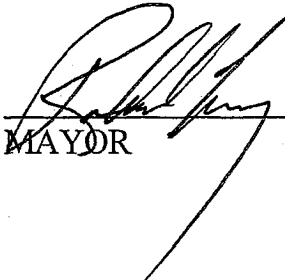
**SECTION 5:** From and after the passage of this ordinance all burning will be done by permit only. The permits will bear no cost to the citizens of Dyer. Permits may be issued by the City Clerk, Chief of Police, Code Enforcement Officer, or the Fire Chief. Each permit will be valid for the period of three (3) days consecutive. All burn permits will be recorded with the City Clerk. Burn barrels are excluded from this ordinance.

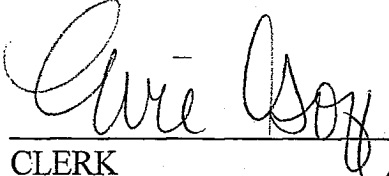
**SECTION 6:** If any property owner shall fail or refuse to correct the offending condition(s) set forth in this ordinance within the times fixed by this ordinance after receiving such notice from the City Clerk, he or she shall, upon conviction be fined \$75.00, and each day that such property owner refuses to comply with this ordinance after the expiration of the time limits provided shall be considered a separate offense, and will be fined \$75.00 per day.

**SECTION 7:** After an on sight inspection by the Mayor's representative and a formal notice issued by the City Clerk, the offending property owner(s) will have ten (10) days to comply. An additional seven (7) days may be granted if the property owner(s) can show just cause as to why a grace period is needed; the grace period will be granted only by the Mayor's representative and recorded by with the City Clerk.

**SECTION 8:** This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the currently existing unsightly and unsanitary conditions existing within the City of Dyer and the hazards these conditions pose to the citizens. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 15<sup>th</sup> DAY OF January 2008.

  
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MAYOR

  
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CLERK