

**ORDINANCE NO. 1999-11**

**AN ORDINANCE AMENDING ORDINANCE NO. 290; DECLARING AN EMERGENCY THEREFORE; AND FOR OTHER PURPOSES.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS THAT:

Section 1: Section 1 (b) of Ordinance No. 290 shall be and hereby is amended to read as follows:

“Section 1(b) All lands, except those described in sub-section (a) above, shall be maintained so that weeds and grasses thereon shall not exceed twelve inches in height.”

Section 2: Section 1(d) of Ordinance No. 290 shall be and hereby is amended to read as follows:

“Section 1(d) The owners of all lands, other than those described in sub-section (a) above, shall maintain that portion of the street rights of way immediately adjoining their properties so that weeds and grasses on such rights of way should not exceed twelve inches in height. This duty of maintenance shall extend from the property of any owner to the edge of the paved portion of the street and shall include areas between sidewalks and curbs and shall include all roadside drainage ditches, which ditches shall be kept free and clear from all obstructions that block proper water drainage.”

Section 3: Section 1(e) of Ordinance No. 290 shall be and hereby is amended to read as follows:


“Section 1(e) The owners of all lands, other than those described in sub-section (a) above shall maintain all unopened street rights of way, easements for utility drainage, walking or other purposes, unopened allies, and opened allies other than the portion of same used for vehicular traffic, which adjoin said owners lands so that weeds and grasses shall not exceed twelve inches in height. If any such right of way, easement or ally is adjoined by the lands of two property owners, then each owner shall maintain said right of way, easement or ally to the midpoint.”

Section 4: The Code Enforcement Officer shall be deemed a designated representative authorized by the Mayor to make inspections of property, make determinations as to whether conditions exist which violate Ordinance No. 290 and to enforce the terms and provisions of said Ordinance. The Mayor, or any designated representative of the Mayor, or the Code Enforcement Officer may choose to give a verbal warning to the owner of property determined to be in violation of Ordinance No. 290, and said verbal warning may be given prior to any written warning or written order


to clear the violative condition. If a verbal warning is given, then the Mayor, his designated representative, or the Code Enforcement Officer, which ever the case may be, shall follow up with a written order pursuant to this Ordinance if the violative condition is not cured within seven days of the date of the verbal warning.

Section 5: It being necessary for the preservation of the public peace, health, safety, and welfare, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage.

Passed and approved this 11<sup>th</sup> day of October,  
1999.

  
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Mayor, Todd Timmerman

ATTEST:

  
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City Clerk, Carol Sneath

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Ozark.ord