

ORDINANCE NO. 2009-13

AN ORDINANCE ABOLISHING THE POSITION OF FIRE DEPARTMENT ADMINISTRATOR, APPOINTING A NEW FIRE CHIEF AND ESTABLISHING THE SALARY THEREFOR, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the Fire Department Administrator will be promoted to the position of Fire Chief as of May 1, 2009, and

WHEREAS, the position of Fire Department Administrator is deemed no longer necessary after April 30, 2009.

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

I.

The position of Fire Department Administrator is abolished and the duties of said position will be performed by the new fire chief as of May 1, 2009. That all persons formerly acting under the supervision of the Fire Department Administrator shall henceforth be under the direction of the Fire Chief as of May 1, 2009

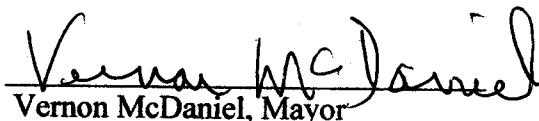
II.

That Kevin Eveld is hereby appointed Fire Chief of the City of Ozark as of May 1, 2009 and his salary is hereby established at \$30,000.00.


III.

It being necessary for the preservation of the public 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 11th day of May, 2009.


Vernon McDaniel, Mayor

ATTEST:



City Clerk, Carol Sneath

ORDINANCE NO. 2009- 14

AN ORDINANCE AMENDING ORDINANCE NO. 2001-15 ADOPTING CURRENT ARKANSAS LAW FOR CLEANUP OF PROPERTY CONTAMINATED WITH A CONTROLLED SUBSTANCE, ADDING LANGUAGE CONCERNING THE PROHIBITION OF STORAGE OF CERTAIN ITEMS, DECLARING AN EMERGENCY THEREFOR, AND FOR OTHER PURPOSES.

Whereas, it is the desire of the City Council of the City of Ozark to establish regulations and guidelines for the clean-up of certain properties contaminated by controlled substances and that such clean-up comply with Arkansas law as codified in A.C.A. 8-7-1401, et seq. and

Whereas it is the Council's desire to clarify and extend the list of items prohibited from storage on real property within the city limits of Ozark.

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

I.

ORDINANCE NO. 2001-15 SHALL BE AMENDED AS FOLLOWS:

Section 2 : Prohibited Acts.

(c) It shall be unlawful for any property owner or occupant of real property located within the City of Ozark, Arkansas to use said real property for the open storage of any abandoned motor vehicle, or parts thereof including but not limited to truck beds, trailers, chassis and other parts thereof, refrigerators, stoves, glass, building material, building rubbish or similar items, to use such items as storage buildings, or fail or refusal to remove such items from the property. For the purpose of this Ordinance, an "abandoned motor vehicle" is defined as one that is in a state of disrepair and incapable of being moved under its own power and includes truck beds, trailers, chassis, and any and all parts thereof. However this section shall not be in force as to a commercial enterprise duly licensed and permitted to carry on a business in the storage of such items on a tract property zoned for such business and complying with any and all other conditions required for the lawful functioning of such business.

Section 7: Notice.

Section (d) shall be added to Section 7: Notice provisions.

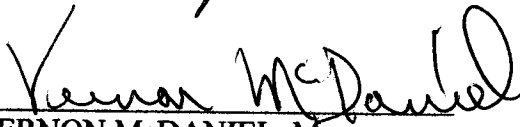
(d) The Controlled Substances Contaminated Property Clean-up Act codified at A.C.A. 8-7-1401 et seq. is hereby incorporated herein and made a part of this Ordinance as if set out herein word for word and shall be enforced under the provisions of this ordinance. The penalty section contained therein under A.C.A. 8-7-1407 shall supercede any other penalty provision of this ordinance where applicable.

II.


Emergency Clause

It is urgent that the City of Ozark comply with current Arkansas law and that it have comprehensive, viable, and explicit codes to enforce the abatement of nuisances existing on real property within the City of Ozark to protect the health and safety of its citizens and the protection of property within the city. Therefore, an emergency is declared to exist and the ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately upon its passage and approval.

PASSED AND APPROVED THIS 11th DAY OF May, 2009.


VERNON McDANIEL, Mayor

ATTESTED:


CAROL SNEATH, City Clerk