



City of Conway, Arkansas
Ordinance No. O-10-25

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by *Rm* D.C.
336884

AN ORDINANCE REVISING THE NUISANCE ABATEMENT AND PROPERTY MAINTENANCE CHAPTER OF THE CONWAY MUNICIPAL CODE; REVISING THE SIGN ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway presently regulates the maintenance of property and installation of signs through several ordinances and code sections;

WHEREAS, the Council feels that current penalty provisions would be more effective if revised as proposed;

WHEREAS, reasonable and enforceable regulations of these code sections benefit public health, safety and welfare and enhances the value of the properties so regulated.

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

SECTION 1: That Section 1.4.2, Fines, of the Nuisance Abatement Code, O-09-55, be hereby revised as follows:

1.4.2 Fines.

- A. Except as otherwise provided, any person, firm or corporation violating any of the several provisions of this Code shall, upon conviction, be punished by a fine of Twenty-five Dollars (\$25.00). If the violation is continuous in nature, each day such violation shall be permitted to continue shall be considered a separate offense and shall be punishable as such.
- B. The penalty for subsequent offenses shall be:
 - 1. Fifty Dollars (\$50.00) for the second offense that occurs within twelve (12) months of the prior offense.
 - 2. One Hundred Dollars (\$100.00) for the third offense that occurs within twelve (12) months of prior offenses.
 - 3. Two Hundred Dollars (\$200.00) for the fourth and all subsequent offenses that occur within twelve (12) months of prior offenses.

SECTION 2: That Section 3.2.3.4, Fine, of the Nuisance Abatement Code, O-09-55, be deleted in its entirety.

SECTION 3: That Section 6.09, Penalties, of the Conway Sign Ordinance, O-06-134, be hereby revised as follows:

Section 6.09- Penalties

- A. Any person who fails to comply with the provisions of the Ordinance within ten (10) days after a notice by the Administrator may be subject to a fine of Twenty-five Dollars (\$25.00) per day that the violation continues.
- B. The penalty for subsequent offenses shall be:

- a. Fifty Dollars (\$50.00) for the second offense that occurs within twelve (12) months of the prior offense.
- b. One Hundred Dollars (\$100.00) for the third offense that occurs within twelve (12) months of prior offenses.
- c. Two Hundred Dollars (\$200.00) for the fourth and all subsequent offenses that occur within twelve (12) months of prior offenses.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5. All ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 6: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of Conway, Arkansas and is necessary for the immediate preservation of public, health, safety and welfare; **THEREFORE**, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED this 23rd day of March, 2010.

APPROVED:



Mayor Tab Townsell

ATTEST:



Michael O. Garrett
City Clerk/Treasurer