

ORDINANCE NO. 1255

AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE NO. 1010, SECTION 11.04.07 OF THE EUREKA SPRINGS MUNICIPAL CODE: PROVIDING PENALTIES FOR VIOLATIONS AND REPEALING ALL ORDINANCE AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

Section 1: Amendment of Section 7 of Ordinance No. 1010, Section 11.04.07 of the Eureka Springs Municipal Code

Section 7 of Ordinance No. 1010, entitled "Violations and Penalties", is hereby amended to read in its entirety as follows:

SECTION 7:

(a) Violations.

Any person, firm, corporation or agent who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or have erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved thereunder, shall be guilty of a misdemeanor. If said person is a contractor employed by the property owner for the purpose of said construction, alteration, demolition, or other purpose, both the contractor and the property owner shall be guilty of a misdemeanor.

(b) Penalty.

Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed or continued, and upon conviction of any such violation, such person shall be fined in a sum not less than Twenty five Dollars (\$25.00) nor more than Two Hundred and Fifty Dollars (\$250.00) for each such violation. In addition, such person shall be assessed all applicable and customary court costs and fees.

(c) Removal.

Should a building or structure be constructed in violation of the provisions of this Ordinance, the City Building Inspector shall have the authority to order removal of the said structure or building. If the structure must be ordered removed, the cost of removal and time consumed may cause a lien to be placed against the property by the City.

Section 2: Conflicts and Emergency Clause.

A. Repeal. All ordinances and resolutions and parts thereof, in conflict, in whole or in part, with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

B. Severability. The provisions of this Ordinance are hereby declared to be severable. If any provision shall be held to be invalid or to be inapplicable to any persons or circumstances, such invalidity or inapplicability shall not affect the remainder of the provisions of this Ordinance.

C. Emergency Clause. It has been found, and it is hereby declared, that the City is in dire need of certain changes in Ordinance No. 1010, Section 11.04.07 of the Eureka Springs Municipal Code; that the changes to the Eureka Springs Municipal Code are essential for the continued development of the City of Eureka Springs and to the welfare of the inhabitants thereof.

Therefore, this Ordinance, being necessary for the preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall be in effect from and after its passage, approval and publication.

PASSED, APPROVED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 14th DAY OF October, 1986.

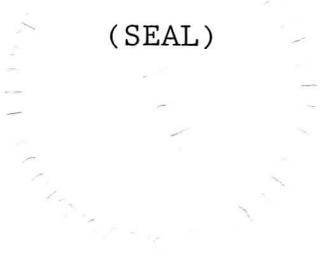
APPROVED:

ATTEST:


DONALD L. THURMAN, Mayor


Dep. City Clerk-Treasurer

(SEAL)



COPY OF ORDINANCE #1255 SENT TO FOLLOWING LIST OF
CONTRACTORS ON OCTOBER 16, 1986

Bob Dillon Co.	Rt. 1, Box 538, City
L. Snyder & Co., Inc.	801 E. 20th St., Joplin Mo. 64801
John Brashear	Rt. 2, Box 16-E, City
Don Underwood	P. O. Box 187, City
Brian Pinkley	P. O. Box 121, City
Ralph Prunte	Rt. 1, Box 33, City
Billy Hull	Rt. 4, Box 119, City
Arlie Weems	1 Magnetic, City
Hugh Atchley	Rt. 2, Box 149-A, Berryville
Lewis Construction	Rt. 2, Box 175
Gerald K. Branscum	Rt. 4, Box 100
Terry Wilson	3 Wheeler
Robert Tirey	Rt. 1, Box 452
Bobby Thurman	70 Kingshighway
Don Pereboom	108 Wall St.
John Perkins	Box 369, City
Alan Hoos	Rt. 4, Box 538
Jerry Moore	P. O. Box 860, Fayetteville, 72701
Bill McClelland	Rt. 3, Box 240
Wayne Johnson	Huntsville Dr., City
Clark Brothers, Inc.	7 Harvey
Robert Christians	Rt. 3, Holiday Island
Earl Phillips	319 Shower St., Berryville
Stan's Construction	Rt. 2, Box 651
Paul Hull	Rt. 1
Russell & Sons	14 Cliff

**city of eureka
springs**



city offices, 44 south main
eureka springs, arkansas 72632

phone
501-253-9703

October 16, 1986

The attached copy of City Ordinance #1255 is sent to you for your information and guidance. This amendment to the Municipal Code will take effect upon its publication on October 23, 1986.

Joanita S. Barber

Dep. City Clerk
CITY OF EUREKA SPRINGS

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Attachment