

ORDINANCE NO. A-420

AN ORDINANCE PROVIDING FOR AUTHORITY FOR REMOVAL OR RAZING OF CERTAIN HOUSES OR BUILDINGS IN THE CITY OF CONWAY, ARKANSAS; ESTABLISHING THE PROCEDURE THEREFOR; PROVIDING FOR NOTICE THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

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

SECTION ONE (1). Whenever any house or building situated in the City of Conway, Arkansas shall become, in the opinion of the City Council of such City, dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public health, safety or welfare, said Council may, by resolution, order the removal or razing of any such house or building by the owner within thirty (30) days after serving notice upon the owner in the manner provided in Section Two (2) of this ordinance.

SECTION TWO (2). When the said Council shall have ordered the removal of any house or building as provided in Section One (1) of this Ordinance, the City Clerk shall issue and the Chief of Police of the City of Conway, or his authorized representative, shall serve a certified copy of such order or resolution upon the owner of such house or building if the owner is a resident of the City of Conway, If such owner is not a resident of the City of Conway he shall be served with notice by registered or certified United States mail, with return receipt requested, addressed to the owner of such house or building at his or its last known address. If the owner of such house or building shall fail, refuse or neglect to remove or raze such house or building within thirty (30) days after service upon him or it of such order or resolution, then the Mayor of the City of Conway is hereby authorized, empowered and directed to at once proceed to remove or raze, or to cause the removal or razing of such house or building in accordance with the provisions of the resolution adopted by the City Council for such purpose,

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SECTION THREE (3). If, after notice has been given to the owner of any such house or building for the time and in the manner set forth hereinabove, said owner shall have failed, refused or neglected to remove or raze any such building, then the Mayor of the City of Conway shall, after the expiration of the time hereinabove set forth for notice, proceed at once to remove and raze the same and shall prepare an itemized statement of the cost of removing or razing any such building and shall notify said owner by delivering to him or it a copy of said statement in the manner hereinabove provided for service of notice upon such owner. If such owner shall fail, refuse or neglect to pay such cost of removing or razing such building or house for a period of ten days (10) days from and after date of service of such statement, then the Mayor is hereby authorized, empowered and directed to proceed at once to sell, at public or private sale, any debris or material obtained from the removal or razing of said building, or so much thereof as shall be necessary to pay the cost of the removal or razing, and shall pay the overplus, if any, to the owner of such building or house. Should the proceeds from the sale of such debris or materials be insufficient to pay the cost of such removal or razing the City of Conway shall have a lien upon the lands upon which the house or building was situated for the cost of removing or razing the house or building which has not been otherwise paid, and shall forthwith proceed by and through its proper officials to foreclose such lien and recover the costs so remaining unpaid.

SECTION FOUR (4). All ordinances or parts of ordinances in conflict herewith, and particularly Ordinance No, A-164, adopted December 14, 1937, are hereby repealed,

ITEM FIVE (5). Should any paragraph, sentence, clause, word or other portion of this ordinance be declared invalid or unconstitutional for any reason, the remainder of such ordinance not invalidated or declared unconstitutional shall be and remain in full force and effect,

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SECTION SIX (6). This ordinance being necessary for the preservation and protection of the public health, safety and welfare, an emergency is hereby declared to exist and this ordinance shall be and become in force and effect from and after its passage and publication,

PASSED: November 24, 1964,

APPROVED:


Mayor

ATTEST:


City Clerk

