

89-2
AN ORDINANCE TO DEFINE A NUISANCE IN THE CITY OF COTTER, ARKANSAS; TO DECLARE A NUISANCE AS DEFINED TO BE A VIOLATION OF THE LAW UNDER THIS ORDINANCE; PRESCRIBING THE PENALTIES FOR VIOLATING THE PROVISIONS HEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

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WHEREAS, the City Council has determined that there now exist several acts, matters, things, and types of personal conduct in the City that are wholly unacceptable and constitute a nuisance to the public at large; and

WHEREAS, it is the desire of the City Council that such acts, matters, things, and types of personal conduct be prohibited in the City;

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

Section 1. For the purposes of this Ordinance, a nuisance shall be considered and defined as "any act, matter, thing, or type of personal conduct that is deemed to be offensive, annoying, troublesome, repugnant, obnoxious, or insulting to any reasonable individual person or to the public at large". Particular and specific types of nuisances shall include, but not be limited to, barking dogs, loud music, loud automobiles and motorcycles, and offensive odors.

Section 2. It is hereby deemed to be unlawful and a violation of this Ordinance for any person, firm, or corporation within the corporate limits of the City of Cotter, Arkansas to, at any time, willingly and knowingly cause or create, or allow an animal or other thing or object under his care and control to cause or create, a nuisance in the City as defined in section 1 hereinabove.


Section 3. Any person, firm, or corporation violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in a Court of competent jurisdiction, shall be fined not less than TWENTY-FIVE DOLLARS (\$25.00), nor more than SEVENTY-FIVE DOLLARS (\$75.00), and each violation hereof shall constitute a separate offense.

Section 4. If any part or section of this Ordinance is held to be unconstitutional, it shall not affect the validity of the remainder but the remainder shall stand.

Section 5. The City Council has determined the need to prohibit nuisances in the City of Cotter, therefore an emergency is hereby declared to exist and this Ordinance, being immediately necessary for the preservation and protection of the public peace, health, safety, and welfare shall take effect, and be in full force and effect, from and after its passage, approval, and publication as required by law.

PASSED this 01 day of June, 1989.

APPROVED: 
MAYOR

ATTEST:

RECORDER-TREASURER