

O-09-28

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) BY REPEALING ORDINANCE NOS. 8039 AND 8117 REGARDING DUMPSTERS AND DUMPSTER ENCLOSURES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on January 14, 2008, the North Little Rock City Council adopted Ordinance No. 8039 to add Section 12.24 to the Zoning Ordinance (Ord. No. 7697) covering dumpsters and dumpster enclosures; and

WHEREAS, on November 24, 2008, Section 12.24.B of the Zoning Ordinance was amended (Ordinance No. 8117) to exempt existing dumpsters located in certain zoned property from screening requirements; and

WHEREAS, the City Council acted in good faith in adopting these ordinances in order to enhance the aesthetic appearance of our community and prevent accumulations of garbage and rubbish from spreading throughout the City and endangering the health of its citizens and residents; and

WHEREAS, the City Council has found that the rules established by Section 12.24 of the Zoning Ordinance are burdensome to property owners and that it is in the best interests of the City and its residents that this section be repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That North Little Rock Ordinances No. 8039 and No. 8117 are hereby repealed.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: 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 4: It is hereby found and determined that the passage of this Ordinance is necessary in order to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the 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 and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSORS:

Alderman Cary Gaines

Alderman Sam Baggett

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

ATTEST:

Diane Whitbey, City Clerk