

R-09-18

RESOLUTION NO. _____

A RESOLUTION DECLARING A MORATORIUM ON ENFORCEMENT OF SECTION 12.24.B OF ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING SCREENING REQUIREMENTS FOR EXISTING DUMPSTERS UNTIL JULY 1, 2009; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance No. 8039 (passed January 14, 2008) added Section 12.24 to Ordinance No. 7697 (“the Zoning Ordinance”) to regulate dumpsters and dumpster enclosures; and

WHEREAS, Section 12.24.B (Screening requirements for existing dumpsters) was intended to regulate dumpsters placed within the City on or before January 14, 2008 and directed that existing dumpsters be screened on or before January 1, 2009 (amended by Ordinance No. 8117 to exempt dumpsters existing in I-1, I-2 or I-3 zones prior to December 31, 2008) (see Section 12.24.B, *as amended*, to the Zoning Ordinance attached hereto as Exhibit “A”); and

WHEREAS, it has come to the attention of the City Council that there are some misunderstandings and questions regarding screening requirements and the enforcement thereof, and it is in the best interests of the citizens and residents of the City of North Little Rock that a moratorium be declared on enforcement of screening requirements for existing dumpsters until July 1, 2009.

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

SECTION 1: That a moratorium is hereby declared on enforcement of Section 12.24.B (screening requirements for existing dumpsters) until July 1, 2009.

SECTION 2: That the Planning and Code Enforcement Departments will identify all existing dumpsters not meeting screening requirements, send notification to the owners thereof advising of non-compliance, and directing that improvements to (or in the alternative removal of) the dumpster be completed no later than July 1, 2009.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR:

ATTEST:

Mayor Patrick H. Hays

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b