

ORDINANCE NO. 1601 (#08- 2019)

AN ORDINANCE AMENDING JACKSONVILLE MUNICIPAL CODE §§8.01 (DEFINITIONS) AND 8.03 (NUISANCE ABATEMENT); DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, City officials believe additional provisions regarding property maintenance and nuisance abatement are needed to address continuing problem with property owners/occupants who have not timely or properly maintained certain respective real properties within the City of Jacksonville. As a result, the City Council believes the following amended provisions and additional requirements are necessary to enable additional enforcement efforts by the City in this area.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS, THAT:

SECTION ONE: JMC §8.01.057 (DEFINTIONS) the following shall be amended and included:

- (a) **MOTOR VEHICLE**, a machine of conveyance which is self-propelled and designed to travel along the ground, including but not limited to, automobiles, buses, electric scooters, mopeds, motorized bicycles, motorcycles, trucks, tractors, go-carts, and golf carts.
- (b) **RECREATIONAL VEHICLE**, means and includes the following types of vehicles:
 - (A) **TRAVEL TRAILER**, meaning a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation, and vacation uses.
 - (B) **PICKUP COACH**, meaning a structure designed to be mounted on a truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation, and vacation uses.
 - (C) **MOTOR HOME**, meaning a portable, temporary dwelling to be used for travel, recreation, and vacation uses, constructed as an integral part of self-propelled vehicle.
 - (D) **CAMPING TRAILER**, meaning a collapsible temporary dwelling structure mounted on wheels, and designed for travel, recreation, and vacation uses.
 - (E) **AUTO CAMPER**, meaning a lightweight, collapsible unit that fits on top of an automobile and/or into the trunk with the cover removed, and designed for travel, recreation, and vacation uses.

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- (c) **FRONT YARD**, the open space extending across the full width of the lot, not including the driveway or side yard, the depth of which shall be the least distance between the front lot line and the exterior face of any building or structure. The front yard shall not include any portion of the city right-of-way.
- (d) **SIDE YARD** shall mean the area of open space between the driveway and the side lot line, extending from the front yard to the rear yard.
- (e) **EXTERIOR SIDE YARD** shall mean the area of open space between the side wall of the building and side property line abutting a street right-of-way on corner lots.
- (f) **REAR YARD** shall mean the area of open space extending across the full width of the lot, the depth of which shall be the least distance between the rear lot line and the nearest point of the exterior face of any building or structure.
- (g) **UNIMPROVED SURFACE SHALL** mean grass, dirt surfaces, and sidewalks which are not a part of a garage, carport or driveway leading directly from the public right-of-way to a building or structure on the subject property.

SECTION TWO: JMC § 8.03.018 (NUISANCES AND NON-COMPLYING CONDITIONS – PARKING AND STORAGE OF MOTOR VEHICLES) shall be amended to include the following:

- a) It shall be unlawful for the operator of any motor or recreational vehicle, boat, or trailer to cause such vehicle, boat, or trailer to be parked or stored on the front yard of any one- or two- family dwelling structures or on any portion of an adjacent or contiguous undeveloped property. Such vehicles must be parked in the driveway; side yard, parallel to one single side of a driveway, within ten (10) feet of the driveway; behind the exterior face of any building or structure on the non-driveway side; or rear yard.
- b) It shall be unlawful for the operator of any automobile to cause such automobile to be parked on the street in such a manner that interferes with the collection of garbage, yard waste, or landfill items.
- c) Any person found guilty of violating the provisions of this section shall be subject to the penalties set forth in **§8.08.090** of the City of Jacksonville Municipal Code.

SECTION THREE: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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SECTION FOUR: Said Ordinance and the changes included herein shall be in full force and effect from and after its passage and approval as provided by and subject to applicable law.

APPROVED AND ADOPTED THIS 18TH DAY OF JULY 2019.

CITY OF JACKSONVILLE, ARKANSAS

BOB JOHNSON, MAYOR

ATTEST:

SUSAN M. DAVITT, CITY CLERK

APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY