

ORDINANCE 2012- 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEARCY, ARKANSAS;
ADDING SECTION 9-21; PROVIDING FOR THE PROHIBITION OF DEPOSITING GRASS AND OTHER
YARD WASTE IN STORM DRAINS, DRAINAGE WAYS AND GUTTERS; IMPOSING PENALTIES
THEREFORE; AND FOR OTHER PURPOSES

The City Council of the City of Searcy, Arkansas, meeting in regular session, makes the following findings of fact and enacts the following provisions:

WHEREAS, the Searcy City Council has been made aware that yard waste has been placed adjacent to gutters or ditches along streets of the City of Searcy, which can lead to clogged gutters, storm drains and sewer mains; and

WHEREAS, the prohibition of the deliberate or purposeful placement of yard waste in the streets is expected to reduce flooding and damage to the storm sewer and waste water collection system of the City of Searcy; and

WHEREAS, Penalties are necessary to enforce the provision of this Ordinance.

NOW, THEREFORE, the Searcy City Council adopts the following amendment to the Code of Ordinances:

Section 1. The Code of Ordinances of the City of Searcy, Arkansas, is hereby amended by the addition of Section 9-21, which shall read as follows:

“Sec. 9-21 – Prohibition Against Depositing Yard Waste.

9-21-1.No person shall cause to be deposited in any right of way drainage easements or natural drains including but not limited to creeks and streams in the City of Searcy that shall cause grass clippings, limbs, sticks, leaves or any other yard waste to be deliberately or purposefully blown, washed or otherwise deposited into any gutter or ditch leading to any storm sewer or other waste water collection system operated by the City of Searcy or the Searcy Board of Public Utilities. The provisions of this section shall apply to any person causing this waste to be placed into right of way and to any owner of real property upon which such activity is performed.

9-21-2.Any violation of the provisions of this Section shall be an unclassified misdemeanor and, upon conviction, shall be punishable by a fine of not less than \$50.00 nor more than \$200.00. Each day, after notice of such violation and the responsible party failing to correct such violation, may constitute a separate offense.”

Section 2. The provisions of this ordinance are separable and, upon any finding that any provision of this ordinance is unenforceable, the remaining provision shall be enforceable according to their terms.

Section 3. All ordinances, resolution or other acts of the City in conflict with the terms hereof are repealed to the extent of any such conflict.

Adopted this 12th day of June, 2012.

The City of Searcy, Arkansas

By:/s/ David Morris
Mayor

Attest:

/s/ Margaret Meads
Searcy City Clerk-Treasurer

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