



**Town of Alpena**  
PO Box 128  
Alpena, AR 72611  
(870) 437-2272

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**Ordinance 2023-4**

**This Ordinance** is to establish the Town of Alpena's expectation of Maintenance of Real Property within the corporate limits of the Town of Alpena, Arkansas.

**Sections:**

**1.1 Unsightly of unsanitary conditions on real property.**

**1.2 Notice required**

**1.3 Penalties**

**1.4 Emergency Clause**

**Section 1.1**

**"Unsightly or unsanitary conditions on real property"**

It shall be unlawful for any person, firm, corporation, partnership, association of persons, owners, agent, occupant, or anyone having supervision or control of any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved within the corporate limits of the Town of Alpena, Arkansas, to suffer or permit any of the following conditions:

- Grass, weeds, or any other plant that is not cultivated, to grow to a greater height than fifteen (15) inches on an average of an individual lot, tract, parcel, or to grow in rank profusion upon the premises.
- Rubbish, brush, dead trees, or any other objectionable, unsightly, or unsanitary matter of whatever nature to accumulate or be present upon any lot, tract, or parcel of land.
- Grass, weeds, or any plant that are not cultivated, to grow in rank profusion, or otherwise, in, along, upon, or across the abutting sidewalk or parkway, to a height of more than ten (10) inches on the average.
- The accumulation of stagnant pools of water, or to allow any form of vessel that might accumulate water which mosquitoes or other insects may breed.
- The property to be used for illegal dumping of any solid, liquid, household, commercial, industrial, construction, or demolition waste.



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## **Section 1.2**

### **"Notice Required"**

Whenever the Mayor, or his/her duly authorized agent or representative, determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, he/she shall give notice of such alleged violation to the person responsible therefore, that such alleged violation shall constitute a nuisance, thus breaking the guidelines of the Ordinance. Such notice shall:

- Be put in writing.
- Include a statement of the reasons why it is being issued, and the sections of the Ordinance that are alleged to be in violation.
- Allow a maximum of twenty (20) days for performance of any act it requires.
- Further state, that if such alleged violations are not voluntarily corrected within the stated time as set forth in that notice, the Mayor or his/her authorized agent or representative, shall institute legal proceedings, charging the person or persons, firm, corporation, or agent with a violation of this Ordinance.
- If the person or persons, firm, corporation, or agent of the property cannot be located, notice will be placed somewhere on the property. (i.e. door, window, tree, etc.)

## **Section 1.3**

### **"Penalties"**

Any person or persons, firm, corporation, partnership, association of persons, owner, occupant, agent, or anyone having supervision or control, who shall violate a provision to this code, or fail to comply therewith, shall be guilty of a misdemeanor. Each such persons shall be deemed guilty of a separate offense for each and every day, during which any violation of any of the provisions of this Ordinance is committed or continued, after the 20 days after the notice is given. Upon the conviction of this violation, such person shall be punished by a fine, not to exceed \$300 for the first offense, and not more than \$200 for each day of offenses of a continuing nature.

Violation of the provisions of this ordinance may be prosecuted by the issuance of a criminal warrant or by the issuance of a citation by a Law Enforcement Officer as required by law.



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#### Section 1.4

##### "Town of Alpena Employees Cleaning Property"

After thirty (30) days of no action taken by person or persons responsible for property, after notice is given, the Town of Alpena reserves the right to send Town of Alpena employees to clean the property to the standards set by this Ordinance and bill any person, firm, corporation, partnership, association of persons, owners, agent, occupant, or anyone having supervision or control of the property.

A spreadsheet of the calculated amount to be billed will be attached to this Ordinance.

#### Section 1.5

##### Emergency Clause

With this Ordinance being necessary for the health and wellbeing of the citizens of the Town of Alpena, Arkansas, an emergency is hereby declared and this Ordinance is effective upon passage.

Passed and approved this 2nd day of October, 2023.

Approved: \_\_\_\_\_

Mayor AJ Womack

Attest: \_\_\_\_\_

Recorder/Treasurer Roberta McAlister

Alderman Ottie Morse

Alderman Kelly Pouncil

Alderman Becky Berryman

Absent  
Alderman Bonnie Morton

Alderman Jeff Battenfield