

TITLE 5

HEALTH AND SANITATION

Chapters:

- 5.04 Maintenance of Real Property
- 5.08 Septic Tanks
- 5.12 Littering
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CHAPTER 5.04

MAINTENANCE OF REAL PROPERTY

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- 5.04.01 Unsightly or unsanitary conditions on real property
- 5.04.02 Notice required
- 5.04.03 Notification of unknown real property owner
- 5.04.04 Enforcement of lien
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5.04.01 Unsightly or unsanitary conditions on real property. All property owners within The City of Bald Knob, Arkansas, are hereby required to cut weeds and grass on or before any part of the yard attains a height of 6 inches. The Property Owner must also remove garbage, debris, lumber, inoperable appliances, rubbish and other unsanitary and unsightly articles from their property, and eliminate, fill in, or otherwise remove stagnant pools of water or any other unsanitary conditions which might become a breeding place for mosquitoes, flies and germs harmful to the health of the citizens of the City of Bald Knob, Arkansas. (Ord. No. 0-16, Sec. 1.)

5.04.02 Notice required. If the owner or owners of any real property within the City limits of Bald Knob, Arkansas, after having been given in writing a reasonable and adequate number of days' notice, being 3 days for mowing and 7 days for the removal of all other conditions, by the City Inspector or other designated representative of the city, shall refuse or neglect to perform the duties in connection with such property as specified in Section I hereof,

the City Inspector or other designated representative of the city is authorized to enter upon the property and have the condition or conditions abated the cost of shall be charged to the owners of the property and against the premises and shall constitute a lien thereon in accordance with the terms of this ordinance and the applicable provisions of the laws of Arkansas. (Ord. No. 0-16, Sec. 2.)

5.04.03 Notification of unknown real property owner. In the event the City of Bald Knob, Arkansas, is unable to deliver any required notice in accordance with the terms of this ordinance and the applicable provisions of the laws of Arkansas to any owner of any lot or other real property because the owner cannot be determined or is unknown or is a nonresident of the State of Arkansas, a copy of the written notice herein above referred to shall be sent to the last known address of said owner with a copy of any such notice to be posted upon the premises before any action is undertaken to abate any such condition described herein or enforce any lien established hereunder. Thereafter the Bald Knob City Clerk shall prepare an affidavit and notice setting out the facts as to unknown address or whereabouts of owners and nonresidents which shall be published as now provided for by the laws of the State of Arkansas. (Ord. No. 0-16, Sec. 3.)

5.04.04 Enforcement of lien The Lien herein provided for may be enforced and collected using any of the following procedures:

- (A) The amount of the lien herein provided shall be determined by the City Council and may thereafter be enforced at any time within 6 months after work has been undertaken to abate any condition by enforcing any lien in an action in the White County Circuit Court, or
- (B) The amount of the lien herein provided may also be determined at a hearing before the City Council held after 30 days after written notice by certified mail to the owner or owners of the property is given and if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then after publication of notice of such hearing in a newspaper having a bona fide circulation in White County, Arkansas, by 1 insertion. Any lien shall include all costs of enforcement for the abatement expense, notice and publication expense and which shall be certified by the City Council of the City of Bald Knob pursuant to ACA § 14-54-901 et seq to the White County Tax Collector to be placed on the tax books as delinquent taxes to be collected with such taxes plus the amount of 3% of such lien amount for the collector's fee. (Ord. No. 0-16, Sec. 4.)

5.04.05 Inspections The City Inspector or other designated representative of the city are specifically charged with the enforcement of the provisions of this ordinance and shall make monthly inspection trips or such other trips as may be necessary throughout the confines of the City of Bald Knob, Arkansas, for any unsightly or unsanitary conditions that may be found so the necessary warnings to the any property owner or owners of any lot or other real property may be issued, stating the date of this inspection, the conditions that must be corrected and abated and if not corrected within time as specified herein that steps under the provisions of this ordinance and the laws of the State of Arkansas to remove, abate or eliminate said conditions shall be undertaken with any cost for such abatement action to constitute a lien on said property and collected accordingly. The City Inspector may also have a citation issued as specified in section 7 herein. (Ord. No. 0-16, Sec. 5.)

5.04.06 Vacant lots Property owners are prohibited from permitting the accumulation of debris upon vacant lots in the city of Bald Knob, Arkansas. It shall be the duty of the property owners to remove all debris or refuse which is unsightly or which may endanger public health and safety upon notification as specified in Section 2 herein. (Ord. No. 2000-02, Sec. 6.)

5.04.07 Requirements to remove debris after disaster If any property owner shall suffer the loss, either total or partial of a house, or other structures, by fire, tornado, or other natural disaster, it shall be the duty of the City Inspector to notify the property owner, in writing to remove all debris or refuse from the lot within 30 days. (Ord. No. 0-16, Sec. 6)

5.04.08 Penalty If any property owner shall fail or refuse to move such debris or refuse as set forth herein within the time specified herein upon notice from from the City Inspector or other designated representative of the city, the property owner or owners may be issued a citation to appear in the Bald Knob District Court in Bald Knob, Arkansas, for a violation of this Ordinance and upon conviction be subject to a fine of not less than \$100.00 plus court costs for the first offense with each additional citation to increase by the amount of \$50.00 for each subsequent occurrence up to a Maximum of \$500.00. (Ord. No. 0-16, Sec. 7)

5.04.09 Conflict Clause All Ordinances in conflict with this Ordinance shall be deemed superseded. Ordinance No. 0-00-02 is hereby specifically repealed. (Ord. No. 0-16, Sec. 8)

CHAPTER 5.08

SEPTIC TANKS

Sections:

- 5.08.01 Water Superintendent shall be inspector
5.08.02 Overflows unlawful

5.08.01 Water Superintendent shall be inspector. The Water Superintendent shall be the inspector, and shall regulate the erection, building and maintenance of all septic tanks now in use or to be put in use in the city and it shall be the duty of any person intending to build or erect a septic tank within the city limits to first make application to the Water Department Superintendent. It shall be the duty of the inspector to see that such septic tank shall be in conformity with the recommendations of the State Board of Health.

5.08.02 Overflows unlawful. It shall be unlawful to allow a septic tank to overflow or drain on the surface of the ground or in any street or ditch within the city.

CHAPTER 5.12

LITTERING

Sections:

- 5.12.01 Littering illegal

5.12.01 Littering illegal. It shall be unlawful for any person to place, dispose, or otherwise permit to be located upon, in, on, or about any public street, sidewalk, alley or public thoroughfare or any private or public property adjacent thereto, any litter, refuse or debris.

CHAPTER 5.16

SOLID WASTE COLLECTION

Sections:

5.16.01	Competitive bidding
5.16.02	Contract
5.16.03	Definitions
5.16.04	Fees for Residential & Commercial Trash Collection
5.16.05	Tree limbs
5.16.06	Non pick-up items
5.16.07	Dumping
5.16.08	Removal of building materials
5.16.09	Blocking of streets with solid waste

5.16.01 Competitive bidding and contract Competitive bidding is hereby waived with regard to the execution of a solid waste contract for the collection of solid waste between the city of Bald Knob, Arkansas, and Waste Management of Arkansas, Inc., a copy of which is attached hereto in its entirety. (Ord. No. 02-05, Sec. 1.)

5.16.02 Contract

- A. The City Council for the City of Bald Knob, Arkansas, has determined the need to increase the fees charged for the collection of residential and commercial trash within the City of Bald Knob, Arkansas, in order to pay for such service, the city has contracted for with Waste Management, and (Ord. No. 2016-01)

5.16.03 Definitions The following words or phrases shall have the following meaning:

Solid Waste - Non refuge items left for pick-up by the city of Bald Knob such as but not limited to: household furnishing, grass clipping, tree limbs, remodeling or building material.

Refuge - Household waste items.

Non Pick-Up Items - Non refuge items that will not be picked up and removed by the city of Bald Knob such as but not limited to: tires, refrigerators, air-conditioners, limbs over eight inches in diameter, batteries, car parts, or scrap metal.

Dumping - The placement of solid waste or non pick-up items on properties other than your own.

Public View - An object that is located so that it is readily visible by the general public and/or adjoining property owners or residents.

Notice - A warning to property owners and/or residents that items placed for pick-up are Non Pick-Up Items. It may be either a verbal or a written notice. Each notice will be logged. Each log entry is to be considered a separate offense. (Ord. No. 99-06, Sec. 1-1)

5.16.04 Fees for Residential & Commercial Trash Collection That from and after the effective date of this Ordinance rates charged for residential and commercial trash collection shall be as follows: (Ord. No. 2019-05, Sec. 1)

Residential Hand Carts	\$13.12 per month
Commercial Hand Carts	\$20.36 per month
2 Yard Container with one pick up per week	\$80.00 per month
4 Yard Container with one pick up per week	\$104.00 per month
4 Yard Container with two pick-ups per week	\$195.00 per month
4 Yard Container with three pick-ups per week	\$283.00 per month
6 Yard Container with one pick up per week	\$129.00 per month
6 Yard Container with two pick ups per week	\$244.00 per month
6 Yard Container with three pick ups per week	\$360.00 per month
8 Yard Container with one pick up per week	\$151.00 per month
8 Yard Container with twice a pickup per week	\$288.00 per month
8 Yard Container with three pick ups per week	\$420.00 per month

Any and all ordinances or parts of ordinances which may be in conflict with this Ordinance shall be and hereby are repealed. (Ord. No. 2019-05, Sec. 2)

5.16.05 Tree limbs Limbs with a diameter less than eight (8) inches can be picked up by the city of Bald Knob when trimmed by the owner of the property or resident. Limbs with a diameter greater than eight (8) inches CAN NOT be picked up by the city of Bald Knob.

Removal of said limbs are the responsibility of the property owner. Any solid waste generated by contract/hired tree trimmers shall be removed by the contractor, property owner or resident. Placement of such material within the ditch or drainage way or within public view for a period of over 15 days after notice is given is subject to a fine of not less than \$100.00 and not more than \$250.00. A log of such duration will be maintained cooperatively by the Street and Police Departments. (Ord. No. 99-06, Sec. 1-4.)

5.16.06 Non pick-up items Non pick-up item places in public view or within the ditch or drainage way for a period of over 15 days after notice is given will subject the property owner to a fine of not less than \$50.00 and not more than \$100.00. A log of such duration will be maintained cooperatively by the Street and Police Department. (Ord. No. 99-06, Sec. 1-5.)

5.16.07 Dumping Dumping within the corporate limits of the city of Bald Knob is prohibited. This is punishable by a fine of not less than \$100.00 and not more than \$250.00. (Ord. No. 99-06, Sec. 1-6.)

5.16.08 Removal of building materials Solid waste generated by the minor remodeling of an existing structure will be picked up, within reason, and removed by the city of Bald Knob unless it contains materials that are hazardous to the environment such as but not limited to asbestos, shingles, and lead piping. Hazardous material removal is the responsibility of the property owner.

Removal of solid waste, which is generated by major remodeling or removal of a structure from a property, is the responsibility of the property owner. Such material that is placed in public view or within the ditch or drainage way for a period of over 15 days after notice is given will subject the property owner to a fine of not less than \$100.00 and not more than \$500.00. A log of such duration will be maintained cooperatively by the Street and Police Departments. (Ord. No. 99-06, Sec. 1-7.)

5.16.09 Blocking of streets with solid waste The blocking of city streets or impeding the flow of traffic with solid waste of non pick-up items within the corporate limits of the city of Bald Knob is prohibited. Such actions will subject the property owner and/or resident to a fine of not less than \$50.00 and not more than \$100.00. No notice is required before a fine is given. (Ord. No. 99-06, Sec. 1-8.)