

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 503 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/11/09

A Bill

HOUSE BILL 1466

5 By: Representatives T. Baker, Overbey, Pyle, Carroll
6 By: Senator D. Wyatt
7

8
9 **For An Act To Be Entitled**

10 AN ACT TO AMEND NOTICE PROCEDURES TO VIOLATORS OF
11 MUNICIPAL ORDINANCES CONCERNING UNSANITARY
12 CONDITIONS; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 TO AMEND NOTICE PROCEDURES TO VIOLATORS
16 OF MUNICIPAL ORDINANCES CONCERNING
17 UNSANITARY CONDITIONS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 *SECTION 1. Arkansas Code § 14-54-902 is amended to read as follows:*
23 *14-54-902. Notice to unknown or nonresident owners.*

24 *(a)(1) In case the owner of any lot or other real property is unknown*
25 *or his or her whereabouts is not known or he or she is a nonresident of this*
26 *state, then a copy of the written notice ~~referred to in~~ under § 14-54-903*
27 *shall be posted upon the premises.*

28 *(2) Before any action to enforce the lien ~~shall be had~~, the*
29 *municipal recorder ~~of the town~~ or the city clerk shall make an affidavit*
30 *setting out the facts as to unknown address or whereabouts of nonresidents.*

31 *(b)(1) Thereupon, service of the publication, as provided for by law*
32 *against nonresident defendants, may be had.*

33 *(2) An attorney ad litem shall be appointed to notify the*
34 *defendant by ~~registered~~ certified letter addressed to his or her last known*
35 *place of residence if it can be found.*



1 (c) Except as provided in subsection (b) of this section, notices
2 required by this subchapter shall be published, mailed, or delivered by the
3 municipal recorder or the city clerk or ~~such~~ other person as designated by
4 the governing body of the municipality.

5 (d) Notwithstanding any other provision of law, after a notice has
6 been issued for a specific violation of an order under § 14-54-901 directing
7 an owner to eliminate a condition on the owner's property, an additional
8 notice for a subsequent violation of that specific violation within the same
9 calendar year shall not be required before the issuance of a citation.

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11 /s/ T. Baker

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13 **APPROVED: 3/24/2009**
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