

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

512

By: Senator Jewell

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE SECTION 22-3-309 TO PROVIDE FOR A PENALTY FOR VIOLATORS OF CAPITOL ZONING DISTRICT COMMISSION RULES AND REGULATIONS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Section 22-3-309 is hereby amended to read as follows:

"22-3-309. Commission's power to institute and defend legal actions.

(a) The Capitol Zoning District Commission shall constitute a body corporate for purposes of instituting and defending litigation to enforce its rules, regulations, decisions, and orders; and it may, in its name, institute or defend actions in its own behalf, or in behalf of the owner or owners of any property within the district, to enjoin any breach or violation thereof.

(b) No bond shall be required of the commission in any action for the issuance of any temporary or permanent order, or on an appeal.

(c) The Attorney General shall be the legal adviser to the commission in the same capacity as he is to other boards and commissions.

(d) Violations of any rule, regulation or ordinance of the Capitol Zoning District Commission or any violation of an approved Capitol Zoning District Commission permit shall be considered a misdemeanor; each day's violation shall be considered a separate offense.

(e) Any person, firm or corporation, who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any rule, regulations, ordinance, or permit of the Capitol Zoning District Commission shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500.00) for each offense or violation, as shall be determined by the Little Rock Municipal Court. If the offense or violation is continuous in

respect to time, the maximum penalty or fine shall not exceed two hundred fifty dollars (\$250.00) for each day the offense or violation may be unlawfully continued."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.