

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 5

5 By: Senator Altes
6 By: Representative Glidewell
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For An Act To Be Entitled

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10 AN ACT TO ASSIST MUNICIPALITIES IN RECOVERING
11 PROPERTY CLEAN-UP COSTS AND NOTIFYING VIOLATORS;
12 AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT TO ASSIST MUNICIPALITIES IN
16 RECOVERING PROPERTY CLEAN-UP COSTS AND
17 NOTIFYING VIOLATORS.
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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 § 14-54-903, regarding notice to violators,
23 is amended to add an additional subsection to read as follows:

24 (a) If the owner of any lot or other real property within an
25 incorporated town or city shall neglect or refuse to remove, abate, or
26 eliminate any condition as may be provided for under an ordinance passed by
27 the city or town as provided for in § 14-54-901, after having been given
28 seven (7) days' notice in writing to do so, then the town or city is
29 authorized to do whatever is necessary to correct the condition and to charge
30 the cost thereof to the owner of the lots or other real property.

31 (b) The town or city is given a lien against the property for the
32 costs.

33 (c) The notice may be issued by a police officer employed by the city
34 or town, a city or town attorney, or a code enforcement officer employed by
35 the city or town.
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SECTION 2. Arkansas Code § 14-54-904(a), regarding enforcement of liens, is amended to read as follows:

(a) The lien provided for in § 14-54-903 may be enforced and collected in either one (1) of the following manners:

(1) At any time within ~~eighteen (18) months~~ five (5) years after work has been done, by an action in the circuit court; or

(2)(A)(i)(a) The amount of the lien provided in § 14-54-903 may be determined at a hearing before the governing body of the municipality held after thirty (30) days' written notice by ~~certified mail~~, return receipt requested, to the owner of the property, if the name and ~~whereabouts~~ address of the owner are known.

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