

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 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*
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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.
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Subtitle

14 TO AMEND NOTICE PROCEDURES TO VIOLATORS
15 OF MUNICIPAL ORDINANCES CONCERNING
16 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.*

36 *(c) Except as provided in subsection (b) of this section, notices*



1 required by this subchapter shall be published, mailed, or delivered by the
2 municipal recorder or the city clerk or ~~such~~ other person as designated by
3 the governing body of the municipality.

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

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10 /s/ T. Baker
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