

- 1 (2) Lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety
2 of the occupants or the public;
- 3 (3) Is a dilapidated building, structure, manufactured home or mobile home;
- 4 (4) Is a substandard building, structure, manufactured home or mobile home; or
- 5 (5) Is an unsafe building, structure, manufactured home or mobile home.

6 **Section 4.** The definition of “substandard dwelling or structure” in Section 20-26 of the Little Rock
7 Code of Ordinances is hereby deleted and replaced with the following definition:

8 *Substandard dwelling or structure* means a dwelling unit, multiple dwelling, apartment, apartment
9 house or any other space used or intended to be used as a habitable living space in any building or
10 structure that does not meet the requirements of Chapter 8 of the Little Rock Code of Ordinances.

11 **Section 5.** A definition of “substandard manufactured home or mobile home” in Section 20-26 of the
12 Little Rock Code of Ordinances is hereby added to read as follows:

13 *Substandard manufactured home or mobile home* means a manufactured home or mobile home that
14 is maintained as a substandard MH-unit, contrary to the prohibitions in Article IV, Chapter 20 of
15 the Little Rock Code of Ordinances.

16 **Section 6.** The definition of “unsafe building or structure” in Section 20-26 of the Little Rock Code of
17 Ordinances is hereby deleted and replaced with the following definition for unsafe building, structure,
18 manufactured home or mobile home:

19 *Unsafe building, structure, manufactured home or mobile home* means a building, structure,
20 manufactured home, mobile home, dwelling, apartment house, rooming house or building or
21 structure used as a dwelling, that is unsafe, unsanitary, unfit for human habitation, or not
22 provided with adequate egress, or that constitutes a fire hazard, or is otherwise dangerous to
23 human life, or that in relation to its existing use constitutes a hazard to safety or health by
24 reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

25 **Section 7.** Section 20-28 of the Little Rock Code of Ordinances is hereby deleted and replaced with the
26 following language:

27 **Sec. 20-28. Abatement notice, notice to vacate and time to repair.**

- 28 (a) Whenever the building official declares a building, structure, manufactured home or mobile
29 home to be dangerous or unfit for human habitation, the official shall give notice of such
30 declaration to the owner by placarding the building, structure, manufactured home or mobile
31 home.
- 32 (b) Service of the written notice shall be sent by regular mail and by certified mail, return receipt
33 requested. Additional notice may be provided by delivery to the owner personally, or by leaving
34 the notice at the usual place of abode of the owner with a responsible adult.

1 (c) The owner shall initiate repairs within fifteen (15) days of the notice and shall complete repairs
2 within ninety (90) days of the notice.

3 **Section 8.** Section 20-29 of the Little Rock Code of Ordinances is hereby deleted and replaced with
4 the following language:

5 **Sec. 20-29. Abatement by City.**

6 (a) If the owner, agent or person in control of property subject to a notice served pursuant to this
7 article cannot be found within the stated time limit, or if the owner, agent, or person in control
8 fails, neglects, or refuses to comply with the notice to repair, rehabilitate, secure, or demolish
9 and remove, or failure to remove the building, structure, manufactured home or mobile home,
10 the Building Official, after having ascertained the cost, may cause such building, structure,
11 manufactured home or mobile home to be abated, demolished, or secured as provided for by
12 order of the City Board of Directors. The Building Official shall require that the building,
13 structure, manufactured home or mobile home remain vacant during the pendency of the action
14 or until the nuisance is abated.

15 (b) Expenses incurred by the city under this section shall be charged to the owner of the property
16 involved and shall be collected in the manner as provided in Section 20-3, as applicable, or by
17 any other method permitted by law.

18 **Section 9.** Section 20-30 of the Little Rock Code of Ordinances is hereby deleted and replaced with
19 the following language:

20 **Sec. 20-30. Vacating of building, structure, manufactured home or mobile home.**

21 (a) Any building, structure, manufactured home or mobile home that has been ordered to be
22 vacated under this article shall be vacated within thirty (30) days after notice to do so has
23 been given by the Building Official to the owner or occupant of the building, structure,
24 manufactured home or mobile home.

25 (b) No building, structure, manufactured home, or mobile home that has been ordered vacated
26 pursuant to this article and so placarded shall be used for human habitation without
27 approval of the building official and the unfit placard is removed by the building official.
28 The Building Official shall remove such placard whenever the defect or defects upon which
29 the placarding action were based have been eliminated.

30 **Section 10.** Section 20-32 of the Little Rock Code of Ordinances is hereby deleted and replaced
31 with the following language:

32 **Sec. 20-32. Emergency abatement.**

33 Any building, wall, or party wall or any portion thereof, chimney, or other structure,
34 manufactured home, or mobile home in the city that from fire, excavation, improper erection
35 or construction, or from any other cause, which at any time becomes unsafe or dangerous to

1 life and limb, shall be razed and removed, or made secure by the building official, if within
2 twenty-four (24) hours from the time of service of notice the owner of record fails to commence
3 rehabilitation or removal of the same and if within seventy-two (72) hours, the owner of record
4 shall fail to complete the rehabilitation or removal.

5 **Section 11.** Section 20-79(b) of Article IV of Chapter 20 of the Little Rock Code of Ordinances is
6 hereby deleted and replaced with the following language:

7 **Sec. 20-79.** (b) The owner or owner's agent shall complete code compliance for all life safety
8 violations within seven (7) days of the notification by the city. A certificate of compliance shall not
9 be issued until all violations in the notice are corrected.

10 **Section 12.** Section 20-79(c) of the Little Rock Code of Ordinances is hereby deleted and replaced
11 with the following language:

12 **Sec. 20-79(c).** Within thirty (30) days of the issuance of the notice of violation of a nonlife safety
13 violation, the owner or owner's agent shall complete such repairs, except that if a good faith effort
14 is demonstrated, all life safety violations were corrected within seven (7) days of the notification
15 by the city, and there is consistent and continuous progress shown on the remaining items, the
16 Building Official may grant an extension for repair of all nonlife safety violations to a time not to
17 exceed sixty (60) days from the notification of violation.

18 **Section 13. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
19 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
20 adjudication shall not affect the remaining portions of the ordinance, which shall remain in full force and
21 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
22 ordinance.

23 **Section 14. Repealer.** All ordinances or resolutions of the City in conflict herewith are hereby repealed
24 to the extent of such conflict.

25 **Section 15. Emergency.** The Board of Directors hereby finds that it is necessary to implement these
26 clarifications and changes in definition to protect property, to be consistent with other chapters of the Little
27 Rock Code of Ordinances, and to protect and preserve the health, safety and welfare of the citizens of this
28 City. Therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect
29 from and after its passage and approval.

30 **PASSED:** June 3, 2014

31 **ATTEST:**

APPROVED:

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33 _____
34 **Susan Langley, City Clerk**

_____ **Mark Stodola, Mayor**

1 **APPROVED AS TO LEGAL FORM:**

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4 **Thomas M. Carpenter, City Attorney**

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