

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 8 (NUISANCE ABATEMENT & PROPERTY MAINTENANCE) OF THE NORTH LITTLE ROCK MUNICIPAL CODE AND ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING INOPERABLE OR WRECKED VEHICLES; AND FOR OTHER PURPOSES.**

WHEREAS, a Nuisance Abatement and Property Maintenance Chapter was adopted as part of the North Little Rock Municipal Code (“the Code”) pursuant to Ordinance No. 8001 (amended by Ordinance No. 8065); and

WHEREAS, the City of North Little Rock (“the City”) duly adopted Ordinance No. 7697 to regulate zoning in accordance with Ark. Code Ann. § 14-56-416 and has amended the same from time to time (hereafter “the Zoning Ordinance”); and

WHEREAS, the City strives to improve and enhance the aesthetic appearances of its communities and neighborhoods, and inoperable and/or wrecked vehicles, or any parts thereof, can create unsightly appearances and detract from the orderliness of the community; and

WHEREAS, it is in the best interests of the City and its residents that the Code be amended regarding storage of inoperable and/or wrecked vehicles or any parts thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Sections 8.1.3(M) and 8.3.2 of Chapter 8, Nuisance Abatement and Property Maintenance Code, are hereby amended as follows:

**8.1.3 Illustrative enumeration of a nuisance.**

. . .

(M) Inoperable, wrecked or abandoned motor vehicles, or any parts thereof.

**8.3.2 Inoperable or wrecked motor vehicles and any parts thereof.** The accumulation of inoperable or wrecked motor vehicles in the City is degrading to the environment, property values, and the aesthetic beauty of the City. Thus, the only location where an inoperable or wrecked motor vehicle, or any parts thereof, may be parked, kept, or stored within the City is in an approved storage area on property that is properly zoned and permitted for that purpose. (*See also Section 12.24 of the Zoning Ordinance.*) The parking, keeping, or storing of inoperable or wrecked motor vehicles, or any parts thereof, at any other location, or unauthorized area thereon, in the City is declared to be a nuisance and may be cited for violation of subsection 3.2.8 and, if necessary, abated as provided in subsection 8.3.2.1, below.

*Editor's note:* Double underline indicates inserted text.

SECTION 2: That the North Little Rock Zoning Ordinance is hereby amended to *add* the following section:

**Section 12.24 – Paint & Body Shops; Wrecked Vehicle Repair Businesses**

- A. Intent. The intent of this section is to establish regulations for businesses operating paint and body shops or repairs of wrecked or inoperable vehicles in order to prevent unsightly appearances in neighborhoods and improve orderliness in the community.
  
- B. Storage of Wrecked Vehicles and/or Parts Related Thereto. All wrecked or inoperable vehicles, and any parts related thereto, shall be stored in a fenced area located behind the front building line. The fenced enclosure area shall meet the following requirements:
  - 1. The enclosed area shall prevent the wrecked or inoperable vehicles and/or parts from being seen from a city street or other right-of-way or a residence (regardless of zoning).
  
  - 2. The enclosure shall have a minimum height 6 foot opaque (or wood privacy) fence.
  
- C. If the topography or other conditions will not allow an enclosed storage area for the wrecked or inoperable vehicles and/or parts at the rear of the business location, an application for a variance may be made with the Planning Department, and the applicant may present such request to Planning Commission which shall designate an alternative area. Any person aggrieved by such decision may appeal to the Board of Adjustments in accordance with Section 19.1.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That this Ordinance shall be in full force and effect ninety (90) days from and after its passage and approval.

PASSED:

APPROVED:

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Mayor Patrick H. Hays

SPONSOR:

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Alderman Linda Robinson

ATTEST:

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

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C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b