

ORDINANCE NO. 2008 - 05

**AN ORDINANCE REQUIRING OWNERS OR OCCUPANTS OF PREMISES
ABUTTING ON STREETS TO KEEP GUTTERS ALONGSIDE THEIR PREMISES
CLEAR OF ALL MATTER PREVENTING THE FREE FLOW OF WATER THEREIN
AND PROHIBITING OBSTRUCTIONS TO SUCH FLOW AND PRESCRIBING A
PENALTY FOR ITS VIOLATION**

BE IT ORDAINED BY THE CITY COUNCIL OF BULL SHOALS, ARKANSAS:

SECTION 1. That the owner(s) or occupant(s) of any block or lot or part of block or lot in the City of Bull Shoals, Arkansas, abutting on any gutter or ditch of any street of said City shall be and are hereby required to keep the said gutter or ditch upon which the premises owned or occupied by them may abut, clean and clear of all obstructions to the free flow of water therein, and any and all persons are hereby prohibited from depositing or permitting any deposit in any street, gutter or ditches of said City, any matter or thing that will obstruct or cause to be obstructed the free flow of water therein, provided that nothing herein contained shall be so construed as to apply to obstructions caused by the natural flow of water.

SECTION 2. Any person failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction in any sum not less than One Hundred Dollars (\$100.00) nor more the Five Hundred Dollars (\$500.00). Each day that said condition shall exist, shall be considered a continuing offense subject to an additional fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00) per day

SECTION 3. The Bull Shoals Police Department is hereby authorized to enforce the provisions of this ordinance.

SECTION 4. Ordinance 95-16 and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. Severability

If any provision, clause, sentence, paragraph or section of this ordinance, or the application there of shall be held invalid by a court of competent jurisdiction, such invalidity shall not effect the other provision of this ordinance which can be given effect without the invalid provision or application and to this end the provision of this ordinance are declared severable.

SECTION 6. This ordinance shall take full effect 30 days after passing and posting.

PASSED AND ADOPTED by the City Council of the City of Bull Shoals, Arkansas, on this
27 day of March, 2008