O-21-92

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8 OF THE NORTH LITTLE ROCK MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR RESIDENTIAL SALES; DECLARING AN EMEGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on October 22, 2007, the City Council adopted Ordinance No. 8001 and the North Little Rock Municipal Code ("NLRMC") Chapter 8, Nuisance Abatement & Property Maintenance (as amended by Ordinance No. 8065 adopted March 24, 2008; Ordinance No. 8187 adopted July 27, 2009; Ordinance No. 8668 adopted August 25, 2014; Ordinance No. 8684 adopted October 13, 2014; and Ordinance No. 8720 adopted March 23, 2015); and

WHEREAS, on July 13, 2020, the City Council passed Ordinance No. 9263, which repealed the majority of the previous Zoning Ordinance (Ordinance No. 7697) and adopted a new Zoning Ordinance (amended by Ordinance No. 9311 adopted on December 14, 2020; and Ordinance No. 9391 adopted September 13, 2021); and

WHEREAS, the previous Zoning Ordinance included certain sections on regulations regarding residential sales that were removed from the new Zoning Ordinance; and

WHEREAS, the NLRMC Chapter 8 regulations are intended to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of all residential and nonresidential structures and premises within the City; and

WHEREAS, it is in the best interests of the City and its residents to add the missing language to the NLRMC Chapter 8.

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

SECTION 1: That Section 8.1.3 of the North Little Rock Municipal Code Chapter 8 is hereby amended to establish regulations for residential sales as follows:

Editor's note: Deletions are denoted in "red" by ~~strikethrough~~ and additions in "blue" by underline.

8.1.3 Illustrative enumeration of a nuisance.

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(X) Garage Sales, Yard Sales, and Carport Sales are allowed in residential zones for 1 week every 4 months

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: 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 4: It is hereby found and determined that amending the North Little Rock Municipal Code Chapter 8 to establish residential sales regulations is appropriate, thereby insuring the proper and orderly growth and economic development of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

Terry C. Hartwick by AT

Mayor Terry C. Hartwick
For Consideration Only

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:35 A.M. _____ P.M.
By City Atty Amy Fields
DATE 10-19-21
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED BY K. Thomas