

ORDINANCE NO. 2010-10

**AN ORDINANCE PROHIBITING THE OBSTRUCTION OF DRAINAGE
DITCHES; PROVIDING A PENALTY FOR VIOLATION; AND OTHER
PURPOSES**

WHEREAS, in the City of Cherokee Village, Arkansas, the drainage ditches have been filled with trash, rubbish, tree limbs, dead weeds, debris, scrap materials and rubble of all kinds, causing the natural flow of run-off waters from rain to be altered and diminished, creating flooding, and endangering the health and safety of the Citizens of the City of Cherokee Village, Arkansas.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Cherokee Village, Sharp and Fulton Counties, Arkansas:

SECTION 1: It shall be unlawful for any person, firm or corporation owning property within the City of Cherokee Village, Arkansas, or any tenant of such property which abuts a drainage or street ditch to permit trash, rubbish, debris, tree limbs, scrap material or any kind of rubble to remain in the drainage ditch or street ditch adjacent to their property or to in any manner obstruct or cause to be obstructed the natural flow of run-off waters in the city of Cherokee Village, Arkansas.

SECTION 2: It shall be unlawful for any person, firm or corporation to place trash, rubbish, debris, tree limbs, scrap material or any kind of rubble in the drainage ditches within the City of Cherokee Village, Arkansas.

SECTION 3: Any person, firm or corporation, who shall violate any of the terms and provisions of this Ordinance shall be punished by fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars; and each day such offense shall continue shall constitute a separate offense.

SECTION 4: If any clause, sentence, paragraph, section or part of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remaining portions hereof, but shall be confined to the clause sentence paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL

DATE: June 2, 2010

APPROVED: Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST: Phyllis J. Endrihs
Phyllis J. Endrihs, Clerk/Treasurer