RV

IN THE CITY COUNCIL OF THE CITY OF KENSETT, ARKANSAS

ORDINANCE NO. 2011-2

AN ORDINANCE PROHIBITING THE USE OF RECREATIONAL VEHICLES, CAMPER TRAILERS OR A TRAILER OF ANY TYPE FOR TEMPORARY OR PERMANENT RESIDENTIAL USE; MAKING AN EXCEPTION FOR EMERGENCY OR DISASTER SITUATIONS AND DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council for the City of Kensett, Arkansas, having determined that it is not in the best interest of the citizens and property owners of the City of Kensett, Arkansas, to allow on either a temporary or permanent basis the use of recreational vehicles, camper trailers or any type of trailer which could be used for residential purposes or living accommodations to be used for such residential purposes and desires to prohibit such use within the city limits of the City of Kensett, Arkansas, and

WHEREAS, having the necessary authority and police power to regulate such use and to prohibit such use the City Council for the City of Kensett, Arkansas, desires to adopt this ordinance to prohibit such use except in disaster and emergency situations as set forth herein.

NOW, THEREFORE, be it hereby ordained by the City Council of the City of Kensett, Arkansas:

Section 1: That the City of Kensett, Arkansas, hereby declares that the use on either a temporary or permanent basis of a recreational vehicle, camper trailer or any type of trailer which could be used for residential purposes or living accommodations situated on any lot or tract within the city limits for the City of Kensett is hereby prohibited, except as herein provided in case of disaster and emergency situations.

Section 2: That such recreational vehicles, camper trailers or any type of trailer may be parked and stored upon any lot or tract within the city limits of Kensett subject to any covenants

or restrictions applicable to said lot or tract but no such recreational vehicle, camper trailer or any type of trailer which could be used for residential purposes or living accommodations may be connected to any utilities while being so stored.

Section 3: That in the event of a natural disaster such as a tornado, flood or other emergency and either the State of Arkansas or the United States Government has declared a state of emergency for the City of Kensett, Arkansas, or in the event the City Council for the City of Kensett, Arkansas, has determined that there is a sufficient emergency situation justifying the use to such recreational vehicle, camper trailer or any type of trailer for temporary residential purposes then in such event the use of such recreational vehicle, camper trailer or any type of trailer for residential purposes or living accommodations will be allowed on temporary basis including the right to connect to needed utilities and for a period of time as determined by the Mayor and Building inspector with the city council having the final determination as to the length of time for such temporary use of said recreational vehicle, camper trailer or any type of trailer for residential purposes.

Section 4: That any individual found in violation of this ordinance by either allowing the use on either a temporary or permanent basis of a recreational vehicle, camper trailer or any type of trailer which could be used for residential purposes or living accommodations upon any lot or tract within the city limits for the City of Kensett or failing to remove such a recreational vehicle, camper trailer or any type of trailer which could be used for residential purposes or living accommodations after being notified to do so by the Mayor, Building inspector or the Kensett City Council shall be guilty of a misdemeanor and upon conviction thereof shall be fined in addition to applicable court costs the sum of not less than $50.00 nor more than $300.00. Each day that the provisions of this ordinance are violated shall constitute a separate offense.

Section 5: This Ordinance being necessary for the health, safety, welfare and benefit of the public, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED this ~~14th~~ 15th day of March, 2011.

Max McDonald

MAX McDONALD, MAYOR

ATTEST:

Linda Fuller

LINDA FULLER, RECORDER.