

ORDINANCE NUMBER: 5-04

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AN ORDINANCE PROVIDING FOR THE CONTROLL OF DEBRIS THAT IS PURPOSEFULLY PLACED IN CITY DITCHES AND CULVERTS AND OTHER PURPOSES:

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF DIAMOND CITY, ARKANSAS:

SECTION ONE (1). That it shall hereby be declared to be unlawful for any person or persons to ***purposefully*** and ***deliberately*** cause to be placed by their direct action or instruction, any debris, including but not limited too; sticks, rocks, soil material, leaves, mail boxes, signs or other foreign materials, into City ditches, waterways or culverts that prevents, alter, or hinders natural or intended water runoff.

SECTION TWO (2). This ordinance ***shall not be binding*** on property owners or person's leasing property whose ditches or waterways accumulate debris caused by nature and said debris accumulation is not caused by purposeful or deliberate action.

SECTION THREE (3). That any person or persons found guilty of purposefully violating this ordinance by a court having jurisdiction of such matter, found in violation of this ordinance may be fined a minimum of \$50.00 and not more than \$100.00 for said offence.

SECTION FOUR (4). If, for any reason, any portion of this ordinance held to be invalid, such invalidity shall in no wise affect the remaining portions thereof, which are valid, but such valid portions shall be and remain in full force and effect.

SECTION FIVE (5). All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted: this 16 day of August, 2004 with a roll call vote of \_\_\_\_\_  
Ayes, 6 nays, \_\_\_\_\_ presents, and \_\_\_\_\_ abstentions.

City of Diamond City, Arkansas

Approved: Troy Burleson  
Troy J. Burleson  
MAYOR

ATTEST: Sandra J. Beaver  
Sandra J. Beaver  
RECORDER/TREASURER