

RESOLUTION NO. R-36-22

A RESOLUTION REINFORCING THE PROVISIONS OF CHAPTER 16, ARTICLE 1 OF THE FORT SMITH MUNICIPAL CODE REGARDING MAINTENANCE OF RIGHTS-OF-WAY AND EASEMENTS ADJOINING PRIVATE PROPERTY

WHEREAS, the sections of Chapter 16, Article 1 of the Fort Smith Municipal Code address the care and maintenance of property, including the requirement that property owners maintain public rights-of-way, easements and alleyways that may adjoin their private property; and

WHEREAS, although most private property owners properly maintain adjacent rights-of-way, over the years the City has inherited maintenance of various rights-of-way, easements and other non-City owned properties, resulting in unwarranted annual costs of labor, maintenance and equipment of over \$120,000; and

WHEREAS, the City, through its Neighborhood Services Division, has the means in place to educate property owners of their responsibilities and enforce the property maintenance requirements prescribed in the Fort Smith Municipal Code; and


WHEREAS, the Board of Directors wishes to support and reinforce the property maintenance provisions of the Fort Smith Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas, that:

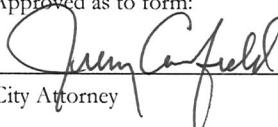
Section 1. The City of Fort Smith’s Board of Directors hereby supports and reinforces the property maintenance provisions of the Fort Smith Municipal Code.

Section 2. The Board of Directors encourages all property owners to properly maintain the public rights-of-way, easements, alleyways that may be adjacent to or adjoin their private property.

PASSED AND APPROVED this 15<sup>th</sup> day of March, 2022.

APPROVED:  
  
\_\_\_\_\_  
VICE Mayor

ATTEST:  
Brittney Bottoms  
City Clerk (Acting)

Approved as to form:  
  
\_\_\_\_\_  
City Attorney