ORDINANCE NO. 26-02

AN ORDINANCE AMENDING ORDINANCE 93-02 OF THE CITY OF ATKINS, ARKANSAS, REGULATING MOBILE HOMES AND MANUFACTURED HOMES TO PROHIBIT THE USE OF STORAGE BUILDINGS AS RESIDENTIAL DWELLINGS, AND FOR OTHER PURPOSES.

WHEREAS, on July 13, 1993, the City of Atkins enacted Ordinance No. 93-02 which established the definition and procedure for obtaining a permit for mobile homes within the city limits of the City of Atkins.

WHEREAS, the City Council finds that the use of structures designed and intended for storage as residential dwellings poses a threat to the public health, safety, and welfare of its citizens.

WHEREAS, the City Council recognizes that utilizing storage buildings as residential structures creates potentially hazardous living conditions, contributes to unsightly and unsanitary conditions within the City of Atkins, and negatively impacts property values.

WHEREAS, the City Council recognizes that it is in the best interest of the citizens of Atkins to prohibit the use of storage buildings as residential dwelling structures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATKINS, ARKANSAS:

SECTION 1: Ordinance No. 93-02 is hereby amended by adding a new section, to be numbered as Section 2, which shall read as follows:

SECTION 2**:** Prohibition on the Use of Storage Buildings as Residential Dwelling Structures.

A. Definitions

1. "Storage Building" – Any structure or building which is designed, advertised, marketed, or sold for the storage of tools, equipment, vehicles, or other personal property, and is not designed by the for the use of human occupancy. This includes, but is not limited to, sheds, shipping containers, or garages.

B. Prohibition

1. It shall be unlawful to occupy or use any structure defined as a Storage Building, for human habitation, whether on a permanent or temporary basis, within the city limits.

C. Enforcement and Penalties

1. Any violation of this section is declared a public nuisance.
2. The City of Atkins, by and through the City Code Enforcement Officer or any other law enforcement agent, is authorized to issue a notice of violation ordering the immediate cessation of the unlawful use and vacation of the structure.
3. Each day that a violation continues shall constitute a separate offense.
4. Any person, firm, or entity violating this section shall, upon conviction, be subject to a fine of $100.

SECTION 2: If any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

SECTION 3: All ordinances in conflict herewith are hereby repealed.

SECTION 4: **EMERGENCY CLAUSE.** This Ordinance being necessary for the public, peace, health, and safety of the citizens of Atkins, an emergency is declared and this Ordinance shall become effective immediately upon its passage.

DATED AND PASSED this 10th day of March, 2026.

ROWDY SWEET, MAYOR

ATTEST:

ANGELA SINGELTON, CITY CLERK

CITY OF ATKINS SEAL POPE COUNTY ARKANSAS

FILED
Angela Singleton, City Clerk
City of Atkins
Date: 3-10-26