

FILED FOR RECORD
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ORDINANCE NO. 115

**AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING
ORDINANCE NO. 92, THE SAME BEING AN ORDINANCE
ESTABLISHING ZONING REGULATIONS FOR THE CITY OF TONTITOWN,
ARKANSAS, AND FOR OTHER PURPOSES."**

WHEREAS, the City Council of Tontitown, Arkansas deems it necessary to from time to time, adjust certain standards for development, and the associated fees thereof which could be implemented in keeping with it's adopted Zoning Ordinance for the purposes of promoting the health, safety, and general welfare of the citizens of Tontitown, Arkansas; and

WHEREAS, the Tontitown City Council has prepared an ordinance amending Ordinance No. 92, the same being the Zoning Ordinance of the City of Tontitown, Arkansas.

NOW THEREFORE BE IT ORDAINED by the City Council of Tontitown, Arkansas, in regular session assembled, as follows:

SECTION 1. Ordinance No. 92 of the City of Tontitown, the same being the Zoning Ordinance for the City of Tontitown, is amended as hereinafter set forth.

SECTION 2. Section VI, Subsection 3, Paragraph A section 1 is hereby amended by the addition of two sentences to read as follows:

" For the purposes of this Ordinance, Agricultural is defined as the raising or growing of crops or non-confinement animal husbandry". Confinement raising of livestock shall be permitted on appeal to the Planning Commission after notice to all property owners within one half (1/2) mile in all directions of the exterior limits of the property, and a hearing.

SECTION 3. Section VI, Paragraph 5 of said Ordinance No. 92 is hereby amended by adding the Footnote "c" to Commercial Maximum Height, which is currently Thirty Six (36) feet. Footnote "c" shall read as follows:

c. The maximum Height may be exceeded under certain conditions on appeal, however no more than 60 feet.

Said Section and paragraph are further amended by adding the following:

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A new height limitation shall be added to the Maximum Height in the Industrial district. The new Height limitation shall be thirty six (36) feet followed by the footnote "c".

SECTION 4. Section IX of said Ordinance No. 92 is hereby amended by adding the following new subsection:

4. Permits and Fees

A permit shall be required for the placement of any sign within the City Limits of Tontitown. The fee for said permit shall be thirty five dollars (\$35.00) for the permit, and twenty five dollars (\$25.00) for each required inspection of the sign structure. The Building Official shall determine the number of required inspections for each sign at the time of application for the sign permit. All fees shall be paid before a permit shall be issued. No permit shall be issued unless the proposed sign is in full conformity with this ordinance and other applicable building codes, ordinances, and regulations. The application shall contain any information which the Administrative Officer may request to adequately describe the work intended, the location and placement of the sign, and all owner information.

SECTION 5. Section XII, subsection 8, of said ordinance No. 92 is hereby amended to read as follows:

8. Fees. All applications for zoning changes must be accompanied by a deposit of a handling and processing fee of three hundred dollars (\$300.00) with the Building Official before any action on the petition can be initiated. The fee shall not be refundable regardless of approval or denial.

SECTION 6. Section XIII, subsection 2, Paragraph B of said ordinance No. 92 is hereby amended by adding the following new subparagraph 7 to read as follows:

7) All applications for variances must be accompanied by a deposit of a handling and processing fee of three hundred dollars (\$300.00) with the Building Official before any action on the petition can be initiated. The fee shall not be refundable regardless of approval or denial.

SECTION 7. Section XIV, subsection 2, of said ordinance No. 92 is hereby amended to read as follows:

2. Fee. Before any action shall be taken as provided in the section, any private party or parties proposing a change in the zoning regulations or district boundaries shall deposit with the Building Official the sum of three hundred dollars (\$300.00) to cover the approximate cost of this procedure, and under no condition shall said sum or any part thereof be refunded for failure of said change to be adopted by the City Council.

SECTION 8. All provisions of said Ordinance No. 92 not hereby amended shall remain in full force and effect.

SECTION 9. The City Council hereby determines that the above amendments are necessary to provide regulation with respect to height limitations, sign permits and fees, rezoning fees, and fees for amendment to the Zoning Ordinance or changes in district boundaries, and that provision of these regulations is essential to protect the health and welfare of the public; and that the immediate passage of this ordinance is necessary to adequately accomplish these purposes. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the public welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 5th day of November, 1996.



Freddie R. Tallo
MAYOR

Frances Franco
CITY CLERK

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