

ORDINANCE NO. 2005-1-196

**AN ORDINANCE CONCERNING GATED COMMUNITIES
WITHIN THE CITY LIMITS OF TONTITOWN, ARKANSAS,
AND FOR OTHER PURPOSES**

WHEREAS, the City of Tontitown is experiencing rapid population increases as a result of growth in the northwest Arkansas area and the annexation of property into the City as a result of the June 8, 2004, annexation election; and

WHEREAS, as a result of the aforementioned, more gated communities are beginning to develop within the region and in the corporate limits of the City; and

WHEREAS, gated communities present a great concern to the police and other emergency service agencies with regard to accessing residences and citizens within those gated communities, both for emergency and routine purposes; and

WHEREAS, there is a need for a uniform standard for gated communities within the City to address the concerns stated above;

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

Section 1. Any gated community or subdivision within the corporate limits of the City shall comply with the uniform standards promulgated herein. A gated community or subdivision is a residential area in which access to the subdivision street or streets is restricted by the use of a guard house and/or electronic arm, gate, or other device, in which residents may gain entry to said community by the use of electronic cards, identification stickers, codes, or remote control devices.

Section 2. As it is unlawful to block public roads, roads in said gated communities or subdivisions are to be classified as private roads, and the City will not accept any such roads or streets for maintenance.

Section 3. As there is a possibility that in the future, gates and/or other barriers from gated communities may be removed, and the residents therein may desire that the City accept the roads and streets, then until such time said roads and streets shall be built and maintained to meet all standards and regulations imposed by the City.

Section 4. To insure access to and for emergency vehicles within gated communities or subdivisions, the City Fire Chief, Director of Ambulance Services for the City, and the Tontitown Branch Chief Deputy shall be authorized to promulgate uniform rules and regulations concerning gated communities and subdivisions, subject to approval by the Tontitown City

Council. Such rules and regulations shall, among other things, provide emergency personnel the ability to override all electrical mechanisms in the event access to the gated community or subdivision cannot be gained by the regular method of entry.

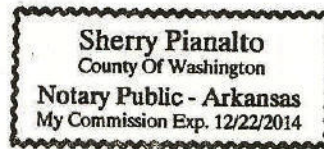
Section 5. This Ordinance shall be applicable only within the corporate limits of the City of Tontitown, Arkansas.

PASSED AND APPROVED this 4 day of ^{January 2005} ~~August, 2004~~.

Daniel R. Watson
Daniel R. Watson, Mayor

ATTEST:

Sherry Pianalto
Frances Franco, City Recorder/Treasurer
Sherry Pianalto



APPROVED AS TO FORM:

R. Jeffrey Reynerson, City Attorney

ROLL CALL

Names Of Those Voting YEA

Names Of Those Voting NAY

Absent: