

ORDINANCE NO. 2005-05-218

AN ORDINANCE ESTABLISHING A MORATORIUM ON THE PLACEMENT OF OFF-SITE SIGNS ALONG, AND VISIBLE FROM, CERTAIN STREETS AND HIGHWAYS IN THE CITY OF TONTITOWN; AND DECLARING AN EMERGENCY.

WHEREAS, in the interest of preserving the natural beauty and aesthetics of Tontitown, the City Council, with passage hereof, is initiating a study regarding the possible designation of certain federal, state, and local streets and highways in the City of Tontitown as scenic corridors; and

WHEREAS, a temporary moratorium on the construction and/or placement of off-site signs along, or visible from, said streets and highways is needed to permit adequate time to study this matter, and to take specific steps with regard to resulting conclusions and recommendations.

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

SECTION 1. A one hundred and eighty (180) day moratorium is hereby declared to prohibit the construction and/or placement of off-site signs along, or visible from, the following federal, state, and local streets and highways in the City of Tontitown: Barrington; Steele; Reed Valley; Arbor Acres; Pianalto; Liberty; Mantegani; Morsani; Ardemagni; Old Highway 68; S.H. 112; and U. S. 412.

SECTION 2. Off-site signs shall be defined as a sign or structure advertising or providing information for an establishment, merchandise, service, activity, or entertainment, which is not sold, produced, manufactured, offered, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising."

SECTION 3. A "sign" referred to herein, shall mean an outdoor advertising sign, light, display, devise, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, whether the same be permanent or of a portable installation.

SECTION 4. Violation of this ordinance shall result in the assent of affect up to \$ 500.00 as provided in the provisions of the City of Tontitown Code of Ordinances. Each offense, and each day such violation continues shall constitute a separate offense.


SECTION 5. The provisions of this ordinance are deemed to be severable and if any portion heretofore is deemed invalid, such invalidity shall not affect the validity of the remaining portions, and to such extent, each provision herein is deemed severable.


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SECTION 6. The City Council hereby determines that due to the need to preserve the scenic nature and visual aesthetics of certain federal, state, and local streets and highways within the incorporated are of Tontitown that may subsequently be designated as scenic highways or scenic corridors, a moratorium on the construction and/or placement of off-site signs is needed; as such, an emergency is hereby declared to exist and this ordinance, being necessary for the preservation of the peace, health, safety, and general welfare of the citizens of Tontitown, shall take effect and be in force from and after its passage.

PASSES AND APPROVED THIS 3 DAY OF May, 2005.




Toni Zulpo, Recorder/Treasurer


Mayor Paul Maestri

ROLL CALL:

Shall the Ordinance pass:

	YEA	NAY	
Alderman Andrew Penzo	_____	_____	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	✓_____	_____	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	✓_____	_____	<i>(Ward 1, Position 2)</i>
Alderman Kevin Riggins	✓_____	_____	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	✓_____	_____	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	✓_____	_____	<i>(Ward 3, Position 1)</i>
Mayor Paul Maestri	_____	_____	

Yeas: 5 Nays: 0 (total)

ROLL CALL:

Shall the Emergency Clause pass:

	YEA	NAY	
Alderman Andrew Penzo	<u> </u>	<u> </u>	<i>(Ward 2, Position 2)</i>
Alderman Arthur Penzo	<u> </u>	<u> </u>	<i>(Ward 2, Position 1)</i>
Alderman Henry Piazza	<u> </u>	<u> </u>	<i>(Ward 1, Position 2)</i>
Alderman Kevin Riggins	<u> </u>	<u> </u>	<i>(Ward 1, Position 1)</i>
Alderman Ken Robertson	<u> </u>	<u> </u>	<i>(Ward 3, Position 2)</i>
Alderman Steve Smith	<u> </u>	<u> </u>	<i>(Ward 3, Position 1)</i>

Yeas: 5 Nays: 0 (total)