

ORDINANCE NO. 2005-10-230

**AN ORDINANCE AMENDING ORDINANCE NO. 57 (PASSED JANUARY 7, 1975) ENTITLED AN ORDINANCE CREATING A TOWN PLANNING COMMISSION OF THE TOWN OF TONTITOWN, ARKANSAS, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Tontitown, Arkansas has by virtue of its population obtained the status of a class two (2) city and has experienced unprecedented growth; and

**WHEREAS**, it is the opinion of the City Council of the City of Tontitown, Arkansas that Ordinance No. 57 (passed January 7, 1975) should be amended to meet the needs of the City of Tontitown, Arkansas both now and in the future.

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

That Ordinance No. 57 is hereby amended to read as follows:

**Section 1:** There is hereby created a Commission of the City of Tontitown, Arkansas, to be known as the "Tontitown Planning Commission," which said Commission shall consist of seven (7) members, of whom at least two-thirds (2/3) shall not hold any other municipal office or appointment except membership in the Board of Adjustment or a joint planning agency.

**Section 2:** The Planning Commission shall have all the duties and functions authorized by Act 186 of the Acts of Arkansas 1957, as amended.

**Section 3:** The members of the Planning Commission shall be named, appointed and confirmed by the City Council of the City of Tontitown, Arkansas.

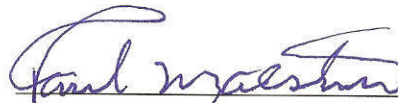
**Section 4:** The terms of the members of the Planning Commission shall be for three (3) years. However, the initial appointment of the Commission shall be; three (3) for one (1) year, two (2) for two (2) years and two (2) for three (3) years. The appointees shall draw for terms of office at the first meeting of the Commission. Thereafter as vacancies occur in said Commission, for whatever cause, said vacancies shall be filled in the same manner as the original appointments and said appointees shall hold office until expiration of the term which they were appointed to fill. All members of the Planning Commission whose terms may expire shall serve until their successors in office have been appointed and confirmed by the City Council of the City of Tontitown, Arkansas.

**Section 5:** It has been found by the City Council of the City of Tontitown, Arkansas, that this Ordinance is immediately required in order; to secure safety from fire and other dangers; to promote healthful living conditions; to prevent the unsanitary use and development of land; to facilitate the adequate provision of transportation, water, sewage and other public facilities; and insure the orderly development of the community for the general welfare of the citizens.

Emergency Clause: It is hereby declared that an emergency exists, in that, an effective plan, for the operation and administration of those existing, future and financial accounts, liabilities and obligations is needed, for the effective development and preservation of the financial records, liabilities and obligations of the City of Tontitown, Arkansas, and this Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be effective from and after its passage and approval.

PASSED AND APPROVED this 4<sup>th</sup> day of October, 2005

APPROVED:

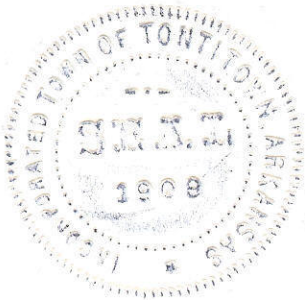


Paul Maestri,  
Mayor

ATTEST:



Toni Zulpo,  
City Recorder / Treasurer



Sponsored by:



**ROLL CALL:**

**Shall the Ordinance pass:**

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

**Yeas:** 6    **Nays:** 0    *(total)*



**ROLL CALL:**

**Shall the Emergency Clause pass:**

	YEA	NAY	
<b>Alderman Andrew Penzo</b>	<u>✓</u>	_____	<i>(Ward 2, Position 2)</i>
<b>Alderman Arthur Penzo</b>	<u>✓</u>	_____	<i>(Ward 2, Position 1)</i>
<b>Alderman Henry Piazza</b>	<u>✓</u>	_____	<i>(Ward 1, Position 2)</i>
<b>Alderman Bradley Marveggio</b>	<u>✓</u>	_____	<i>(Ward 1, Position 1)</i>
<b>Alderman Ken Robertson</b>	<u>✓</u>	_____	<i>(Ward 3, Position 2)</i>
<b>Alderman Steve Smith</b>	<u>✓</u>	_____	<i>(Ward 3, Position 1)</i>

Yeas: 6 Nays: 0 (total)