

ORDINANCE NO. 2018-04-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY SECTIONS 153.180-153.191: SIGNS OF CHAPTER 153: ZONING REGULATIONS THE TONTITOWN MUNICIPAL CODE IN ORDER TO AMEND AND CLARIFY THE SIGN REGULATIONS FOR THE CITY OF TONTITOWN, AND DECLARING AN EMERGENCY

WHEREAS, on or about May 2, 2017, the City Council of Tontitown adopted Ordinance No. 2017-05-635 to provide development and subdivision regulations within the city and said Ordinance No. 2017-05-635, as it has been amended from time to time, was thereafter codified as Chapter 153: ZONING REGULATIONS in the Tontitown Municipal Code; and

WHEREAS, Chapter 153: ZONING REGULATIONS of the Tontitown Municipal Code contains Secs. 153.080-153.191: SIGNS which regulates the placement and use of signs within the City of Tontitown; and

WHEREAS, the City Council of the City of Tontitown now finds it to be in the best interest of the citizens of the City of Tontitown to amend Ordinance No. 2017-05-635 and to amend in its entirety the Tontitown Municipal Code Secs. 153.180-153.191: SIGNS in order to comply with United States Supreme Court precedent and to better provide for the clarification of terms and uses for installation and use of signs within the City of Tontitown; and

WHEREAS, the Tontitown Planning Commission has reviewed the revisions of Secs. 153.180-153.191: SIGNS and, after a public hearing and extensive work sessions which were open to the public, recommends to the City Council that this ordinance be approved; and

WHEREAS, having fully reviewed the proposed amendment, the Tontitown City Council has determined that Secs. 153.180-153.191: SIGNS of the Tontitown Municipal Code should be repealed and replaced in its entirety as incorporated herein below.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Tontitown, as follows:

Section 1. Sections 153.180-153.180-191: SIGNS of the Tontitown Municipal Code is hereby repealed, in its entirety, and is replaced as attached hereto as Exhibit "A".

Section 2. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this

Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 3. Declaration of Emergency. It is hereby found and determined that Secs. 153.180-153.191: SIGNS, of the Tontitown Municipal Code should be immediately repealed and replaced in its entirety in order to provide for the proper regulation of signs within the City of Tontitown. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

PASSED AND APPROVED this 3rd day of April, 2018.

APPROVED:

Paul Colvin, Jr., Mayor

ATTEST:

Rhonda Ardemagni, City Recorder-Treasurer