

**ORDINANCE NO. 2017-05-\_\_\_\_\_**

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 153:  
ZONING REGULATIONS OF THE TONTITOWN MUNICIPAL CODE IN  
ITS ENTIRETY IN ORDER TO CLARIFY ZONING REGULATIONS  
FOR THE CITY OF TONTITOWN, ADOPTING THE CODE BY  
REFERENCE AND DECLARING AN EMERGENCY**

**WHEREAS**, on or about December 2, 2014, the City Council of Tontitown adopted Ordinance No. 2014-12-489 to provide zoning regulations within the city and said Ordinance No. 2014-12-489, as it has been amended from time to time and as was thereafter codified within in Chapter 153: ZONING REGULATIONS in the Tontitown Municipal Code; 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. 2014-12-489 and the Tontitown Municipal Code Chapter 153: ZONING REGULATIONS in its entirety to better provide for the clarification of terms and uses for zoning regulations; and

**WHEREAS**, the Tontitown Planning Commission has reviewed the revisions of Chapter 153: ZONING REGULATIONS and recommends to the City Council that the replacement be approved; and

**WHEREAS**, having fully reviewed the proposed amendment, the Tontitown City Council has determined that Chapter 153: ZONING REGULATIONS of the Tontitown Municipal Code should be repealed and replaced in its entirety as incorporated herein below and adopted by reference pursuant to A.C.A § 14-55-207.

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

**Section 1.** Chapter 153: ZONING REGULATIONS, of the Tontitown Municipal Code is hereby repealed and replaced, in its entirety, and as attached hereto as Exhibit "A".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.** Three (3) copies of the Zoning Regulations are on file in the office of the Clerk of the City of Tontitown located in the Tontitown City Hall, 235 East Henri de Tonti Boulevard, Tontitown, Arkansas.

**Section 4. Declaration of Emergency.** It is hereby found and determined that Chapter 153: ZONING REGULATIONS, of the Tontitown Municipal Code should be immediately repealed and replaced in its entirety in order to provide clarification of terms and uses for zoning regulations 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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

\_\_\_\_\_  
Paul Colvin, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Rhonda Ardemagni, City Recorder-Treasurer