

ORDINANCE NO. 2017-05-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING CHAPTER 152: DEVELOPMENT AND SUBDIVISION REGULATIONS OF THE TONTITOWN MUNICIPAL CODE IN ORDER TO CLARIFY DEVELOPMENT AND SUBDIVISION REGULATIONS FOR THE CITY OF TONTITOWN AND DECLARING AN EMERGENCY

WHEREAS, on or about December 2, 2014, the City Council of Tontitown adopted Ordinance No. 2014-12-488 to provide development and subdivision regulations within the city and said Ordinance No. 2014-12-488, as it has been amended from time to time and as was thereafter codified within in Chapter 152: DEVELOPMENT AND SUBDIVISION 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. 2014-12-488 and the Tontitown Municipal Code Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS to better provide for the clarification of terms and uses for development and subdivision regulations; and

WHEREAS, the Tontitown Planning Commission has reviewed the revisions of Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS and recommends to the City Council that the revisions be approved; and

WHEREAS, having fully reviewed the proposed amendment, the Tontitown City Council has determined that Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS of the Tontitown Municipal Code should be revised as provided herein below.

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

Section 1. Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS, of the Tontitown Municipal Code is hereby revised, as to delete the following Section 152.145 SIDEWALKS, Section 152.148 ACCESS REQUIREMENTS, Sections 152.190-152.207 LANDSCAPING, and Sections 152.215-152.226 FLOOD DAMAGE.

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 Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS, of the Tontitown Municipal Code should be immediately amended in order to provide clarification of terms and uses for development and subdivision 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