

ORDINANCE NO. 2019-02- 831

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE AMENDING SECTION 90.400.4 CROSS-SECTIONS AND RIGHTS-OF-WAYS WIDTHS OF CHAPTER 90: STREETS AND SIDEWALKS 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 May 4, 2010, the City Council of Tontitown adopted Ordinance No. 2010-05-355 to provide street and sidewalk regulations within the city and said Ordinance No. 2010-05-355, as it has been amended from time to time, was thereafter codified within in Chapter 90: STREETS AND SIDEWALKS 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 Section 90.400.4 CROSS-SECTIONS AND RIGHTS-OF-WAYS of Chapter 90: STREETS AND SIDEWALKS in its entirety to better provide for the clarification of terms and uses for street and sidewalk regulations; and

**WHEREAS**, the Tontitown Planning Commission has reviewed the revisions of Section 90.400.4 CROSS-SECTIONS AND RIGHTS-OF-WAYS of Chapter 90: STREETS AND SIDEWALKS of the Tontitown Municipal Code and recommends to the City Council that the amendments be approved; and

**WHEREAS**, having fully reviewed the proposed amendments, the Tontitown City Council has determined that Section 90.400.4 CROSS-SECTIONS AND RIGHTS-OF-WAYS of Chapter 90: STREETS AND SIDEWALKS of the Tontitown Municipal Code should be revised and restated 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.** That Section 90.400.4 CROSS-SECTIONS AND RIGHTS-OF-WAYS of Chapter 90: STREETS AND SIDEWALKS, of the Tontitown Municipal Code is hereby revised, in its entirety, and is attached hereto as Exhibit "A".

**Section 2:** All other parts and provisions of Chapter 90: Streets and Sidewalks remain unaffected by this Ordinance and shall remain in full force and effect

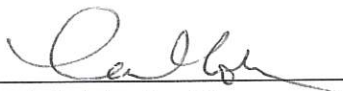
**Section 3.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided 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.

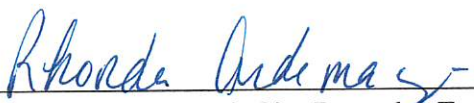
**Section 4.** Declaration of Emergency. It is hereby found and determined that Section 90.400.4 CROSS-SECTIONS AND RIGHTS-OF-WAYS of Chapter 90: STREETS AND SIDEWALKS, of the Tontitown Municipal Code should be immediately amended in order to provide clarification of terms and uses for development and 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 5th day of February, 2019.

APPROVED:

  
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Paul Colvin, Jr., Mayor

ATTEST:

  
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Rhonda Ardemagni, City Recorder-Treasurer

## EXHIBIT "A"

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### CHAPTER 90: STREETS AND SIDEWALKS

#### 90.400.4 CROSS-SECTIONS AND RIGHT-OF-WAY WIDTHS.

- (A) Skewed street sections will not be allowed without specific approval of the City Engineer.
- (B) The minimum right-of-way shall be as follows:

<i>Street Type</i>	<i>Required Right-of-Way Width</i>	<i>Typical Cross-Section</i>
Principal Arterial	100 feet	59 feet unless listed below: <ul style="list-style-type: none"><li>• Highway 412 Arterial/Boulevard section - 66 feet.</li></ul>
Minor Arterial	95 feet unless listed below: <ul style="list-style-type: none"><li>• May be reduced to 90 feet if the Planning Board approves a non-boulevard section.</li></ul>	44 feet unless listed below: <ul style="list-style-type: none"><li>• May be reduced to 37 feet if the Planning Board approves a non-boulevard section.</li><li>• ROW section allows for two additional driving lanes if necessary.</li></ul>
Collector	70 feet	44 feet unless listed below: <ul style="list-style-type: none"><li>• May be reduced to 37 feet if the Planning Board approves a non-boulevard section.</li></ul>
Local	50 feet	29 feet with parking on one side.  23 feet with no parking.

(C) Pavement cross slopes for local streets shall be 3% and for collector and arterial streets shall be 2%, unless otherwise approved by the city. Gutters shall be sloped to match the street cross slope.

(D) On the elevated side of a uniform cross slope or super-elevated street, the gutter may slope toward the street centerline, provided the gutter cross slope does not exceed the cross slope of the adjacent lane. Transitions from normal crowns to uniform cross slope or super-elevated sections shall provide for minimum longitudinal grades. Super-elevated sections shall conform to the ARDOT standard drawings.

(Ord. 2009-11-347, passed 11-3-09; Am. Ord. 2010-06-356, passed 6-1-10; Am. Ord. 2018-11-816, passed 11-6-18)

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