

**ORDINANCE NO. 2021-\_\_\_\_\_**

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

**AN ORDINANCE AMENDING SECTION 90.400.2: ALIGNMENT AND SECTION 90.400.4 CROSS SECTIONS AND RIGHT OF WAY WIDTHS OF ARTICLE 90.400 STREET DESIGN PRINCIPALS OF CHAPTER 90: STREETS AND SIDEWALKS OF THE TONTITOWN MUNICIPAL CODE IN ITS ENTIRETY IN ORDER TO REVISE STREET SECTION REQUIREMENTS FOR THE CITY OF TONTITOWN AND DECLARING AN EMERGENCY.**

**WHEREAS**, Section 90.400.2: ALIGNMENT and Section 90.400.4 CROSS SECTIONS AND RIGHT OF WAY WIDTHS sets forth the street section requirements of 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 Section 90.400.2: ALIGNMENT and Section 90.400.4 CROSS SECTIONS AND RIGHT OF WAY WIDTHS in its entirety to better provide for the clarification of street section requirements; and

**WHEREAS**, having fully reviewed the proposed amendments, the Tontitown City Council has determined that Section 90.400.2: ALIGNMENT and Section 90.400.4 CROSS SECTIONS AND RIGHT OF WAY WIDTHS of the Tontitown Municipal Code should be revised and restated 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 90.400.2: ALIGNMENT and Section 90.400.4 CROSS SECTIONS AND RIGHT OF WAY WIDTHS, of the Tontitown Municipal Code is hereby revised in its entirety and is attached hereto as Exhibit "A". The remainder of Chapter 90: STREETS AND SIDEWALKS not specifically amended hereby shall remain in full force and effect.

**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 Section 90.400.2: ALIGNMENT and Section 90.400.4 CROSS SECTIONS AND RIGHT OF WAY WIDTHS, of the Tontitown Municipal Code should be immediately amended in order to provide clarification of terms for street section requirements 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 \_\_\_\_\_, 2021.

APPROVED:

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

ATTEST:

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Rhonda Ardemagni, City Clerk-Treasurer