

ORDINANCE NO. 2021-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING CHAPTER 153: ZONING REGULATIONS OF THE TONTITOWN MUNICIPAL CODE IN ORDER TO CLARIFY THE ZONING REGULATIONS WITHIN THE CITY; DECLARING AN EMERGENCY AND FOR OTHER PURPOSEES

WHEREAS, the City Council of Tontitown has zoning regulations codified in in Chapter 153: ZONING REGULATIONS of the Tontitown Municipal Code; and

WHEREAS, following a public hearing with the Planning Commission and a recommendation to approve this amendment, 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 these zoning regulations in order to better clarify the zoning regulations within the city; 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 amended as incorporated herein below.

NOW THEREFORE, BE IT ENACTED, by the Tontitown City Council (the “City Council”) of the City of Tontitown, as follows:

Section 1. Section 153.021 DEFINITIONS AND TERMS AND USES; Section 153.080: AGRICULTURE AND RESIDENTIAL DISTRICTS; GENERAL DESCRIPTION; Section 153.083: COMMERCIAL AND INDUSTRIAL USES AND EXCLUSIVE USE LANDFILL USES PERMITTED; SECTION 153.212: LANDSCAPING, SCREENING, FENCING, AND BUFFERING; SECTION 153.174: SPECIAL CONDITIONS APPLICABLE TO CERTAIN USES ZONING - OUTDOOR STORAGE; APPENDIX A; and APPENDIX B: DISTRCT STANDARDS – COMMERCIAL, INDUSTRIAL, MIXED USE, EXCLUSIVE USE LANDFILL of the Tontitown Municipal Code are hereby revised as reflected in the attached Exhibit “A”. The remaining provisions of Sections 153.021, 153.080, 153.083, 153.174, 153.212, Appendix A and Appendix B not specifically reflected to be amended or replaced by this Exhibit “A” 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 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 153: ZONING REGULATIONS of the Tontitown Municipal Code should be immediately amended in order to better clarify the zoning regulations within the city. 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:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)