

ORDINANCE NO. 2022-04-986

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING SECTION 153.217 STREET FRONTAGE-ACCESS EASEMENT IN ITS ENTIRETY OF THE TONTITOWN MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Tontitown has determined that in order to protect the health, safety and welfare of the citizens of Tontitown and others, it is necessary to amend the regulations pertaining to street frontage and access easements that are set forth in Section 153.217 STREET FRONTAGE-ACCESS EASEMENT of the Tontitown Municipal Code; and

WHEREAS, having fully reviewed the proposed amendment, the Tontitown City Council has determined that Section 153.217 STREET FRONTAGE-ACCESS EASEMENT of the Tontitown Municipal Code should be adopted.

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

Section 1. That Section 153.217 STREET FRONTAGE-ACCESS EASEMENT of the Tontitown Municipal Code is hereby amended in its entirety as set forth in the Attached Exhibit "A"

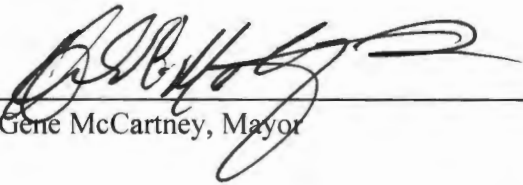
Section 2. The rest and remainder of the Tontitown Municipal Code not specifically amended herein remains in full force and effect.

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.

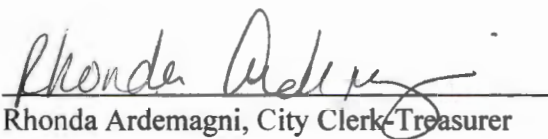
Section 4. Declaration of Emergency. It is hereby found and determined that Section 153.217 STREET FRONTAGE-ACCESS EASEMENT of the Tontitown Municipal Code should be immediately amended in its entirety in order to clarify and amend the regulations pertaining to street frontage and access easements. Therefore, 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.

PASSED AND APPROVED this 5 day of April, 2022.

APPROVED:


Gene McCartney, Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer

- (A) **§ 153.217 STREET FRONTAGE–ACCESS EASEMENT.** Each lot created in the City of Tontitown shall have access to a public street. This shall include direct access or access via an access easement that connects to a public street, when certain conditions are met.
- (B) Refer to Appendix B and Appendix C for the minimum Lot Width requirement for each zoning district. This is the minimum street frontage required for each lot except for lots fronting on cul-de-sac turnarounds and on curving street frontages, which must have not less than 35 feet of street frontage with the two side lot lines intersecting the street diverging until they are separated by the minimum required lot width at the building line.
- (C) Access easements shall be a minimum of fifty (50) feet in width and shall only serve three (3) lots without direct access to a public street.