

ORDINANCE NO. 2022-__

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE AMENDING SECTION 155.01 OF CHAPTER 155:
FEES OF THE TONTITOWN MUNICIPAL CODE IN ITS ENTIRETY OF
THE CITY OF TONTITOWN AND DECLARING AN EMERGENCY**

WHEREAS, on or about November 4, 1975, the City Council of Tontitown adopted Ordinance No. 60 to provide for establishment of land usage fees within the city and said Ordinance No. 60, as it has been amended multiple times and was thereafter codified within Chapter 155: FEES in the Tontitown Municipal Code; and

WHEREAS, the proposed amendment to Section 155.01 of Chapter 155: FEES will remove the ten-dollar (\$10.00) fee necessary to obtain a garage sale, yard sale, or rummage sale permit; wherein the Tontitown Committee of the Whole has reviewed this amendment and recommends to the City Council that it be approved; and

WHEREAS, the City Council of the City of Tontitown finds it to be in the best interest of the citizens of the City of Tontitown to amend Section 155.01 of Chapter 155: FEES of the Tontitown Municipal Code to better organize and clarify this section.

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

Section 1. Section 155.01 of Chapter 155: FEES, of the Tontitown Municipal Code is hereby amended by removing the ten-dollar (\$10.00) permit fee for garage sales, yard sales, and rummage sales.

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 155.01 of Chapter 155: FEES, of the Tontitown Municipal Code should be immediately amended in its entirety in order to provide regulations for land usage fees 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 _____, 2022.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)