

ORDINANCE NO. 2026-____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING §152.146 AND RELATED PROVISIONS OF THE TONTITOWN MUNICIPAL CODE; ADOPTING THE CITY OF TONTITOWN DRAINAGE CRITERIA MANUAL; CLARIFYING APPLICABILITY OF STORMWATER, DRAINAGE, DETENTION, EROSION CONTROL, AND RELATED ENGINEERING STANDARDS; PROVIDING FOR PUBLIC ACCESS; ELIMINATING AMBIGUITY; REPEALING CONFLICTING PROVISIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, portions of the Tontitown Municipal Code, including §152.146 and related drainage and stormwater provisions, reference adopted drainage criteria standards without specifically identifying the applicable manual or providing an adequate administrative framework; and

WHEREAS, the City Council finds that varying terminology and overlapping references concerning drainage review, stormwater management, detention requirements, erosion control, and related engineering standards may create ambiguity or inconsistent interpretation; and

WHEREAS, the City Council desires to formally adopt and clarify the applicability of the City's drainage and stormwater technical standards for consistency, enforceability, public access, infrastructure protection, flood prevention, and regulatory compliance; and

WHEREAS, the City Council further finds that clarification of these provisions is necessary to protect public infrastructure, private property, public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

Section 1. Amendment of Existing Code.

Section 152.146 and related provisions of the Tontitown Municipal Code concerning drainage criteria standards, stormwater standards, detention requirements, erosion control measures, and related technical infrastructure standards are hereby amended and clarified as set forth herein.

Section 2. Adoption by Reference.

The document entitled "Complete Drainage Manual," dated May 2021, together with all appendices, charts, figures, technical specifications, stormwater criteria, detention requirements, erosion and sediment control standards, and related engineering provisions contained therein, is hereby adopted by reference as the official Drainage Criteria Manual of the City of Tontitown, Arkansas.

Future amendments or revisions to the Drainage Criteria Manual shall not become effective unless approved by the City Council by ordinance or resolution.

Section 3. Purpose and Applicability.

The adopted Drainage Criteria Manual shall apply to development, redevelopment, grading, drainage, subdivision construction, stormwater management systems, detention and retention facilities, erosion control measures, infrastructure improvements, and related engineering activities within the City of Tontitown unless otherwise exempted by ordinance or by law.

Section 4. Official Copy and Public Access.

A true and correct copy of the adopted Drainage Criteria Manual shall be maintained on file in the office of the City Clerk or Clerk-Treasurer, as applicable, or any successor custodial office signed by the City Council and additionally made available through the City's official website for public inspection and reference.

Temporary unavailability of the website link shall not invalidate applicability or enforcement of the adopted standards.

Section 5. Interpretation of Existing References.

Existing references within the Tontitown Municipal Code to drainage standards, stormwater standards, drainage criteria standards, detention standards, or similar technical references shall be interpreted consistently with the Drainage Criteria Manual adopted herein unless otherwise expressly stated.

Section 6. Conflicts.

In the event of conflict between previously adopted technical standards and the Drainage Criteria Manual adopted herein, the stricter requirement shall apply unless otherwise expressly stated by ordinance or required by law.

Section 7. Emergency Clause.

The City Council hereby finds and determines that ambiguity and inconsistency concerning stormwater management, drainage review, detention standards, erosion control requirements, and related technical infrastructure standards may impair orderly development review, flood prevention efforts, infrastructure protection, regulatory compliance, and the administration of development regulations within the City.

Immediate clarification and implementation of the provisions contained herein are therefore necessary to ensure consistent application of drainage and stormwater standards affecting ongoing storm water control and development activity within the City, and for the preservation of public peace, health, safety, welfare, and property protection; therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon passage and approval.

PASSED AND APPROVED on this _____ day of June 2026.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted / Passed: _____

Vote: Ayes ____ Nays ____ Abstain ____ Absent ____

This requirement is in addition to, and does not supersede, any authentication, attestations, or signature requirements imposed by state law or other provisions of the Tontitown Municipal Code.