

CEDARVILLE, ARKANSAS

ORDINANCE NO. 2024-6-18-1

AN ORDINANCE ALLOWING THE CITY COUNCIL TO SERVE AS THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT FOR THE CITY OF CEDARVILLE, ARKANSAS, REPEALING CONFLICTING ORDINANCES, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the City of Cedarville, Arkansas, is a second-class city in the State of Arkansas;

WHEREAS, the City of Cedarville has ordinances that provide for extraterritorial jurisdiction over subdivisions;

WHEREAS, state law and ordinances of the City of Cedarville provide for a planning commission;

WHEREAS, due to the small size of Cedarville, the city has struggled to maintain enough volunteers to serve on the planning commission;

WHEREAS, Ark. Code Ann. § 14-56-404 (a)(2) provides that a second class city may elect by ordinance to allow the city council to serve as the planning commission and the board of adjustment;

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

Section 1. The City Council of Cedarville, Arkansas, shall serve as its planning commission and board of adjustment. The rules and procedures governing city council meetings shall apply to planning commission and board of adjustment meetings including having the mayor preside over meetings.

Section 2. All provisions or parts of ordinances in conflict herewith are hereby repealed.

Section 3. If any court of competent jurisdiction should determine that any portion of this ordinance is illegal or unenforceable, the remaining provisions shall remain in full force and effect.

Section 4. This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of

Cedarville, Arkansas, because of the need to maintain a viable and functioning planning commission and board of adjustment compliant with laws and ordinances for the legal regulation of growth and development within the city and its extraterritorial planning area. Therefore, an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED on this 18th day of June 2024.

ADOPTED AND APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CERTIFICATION

I, the City Recorder/Treasurer of Cedarville, Arkansas, certify that the foregoing ordinance was passed by a vote of 4 to 0 by the City Council of Cedarville, Arkansas, at its regular meeting held on June 18, 2024 such that the ordinance was duly adopted and approved. I further certify that the ordinance was posted in the five places so designated as of this date: June 20, 2024.


Recorder/Treasurer