

ORDINANCE NO. 126

**AN ORDINANCE AMENDING CITY OF GOSHEN
ZONING REGULATIONS ORIGINALLY ADOPTED
BY ORDINANCE NO. 35 AS AMENDED THEREAFTER
AND TO DECLARE AN EMERGENCY
AND FOR OTHER PURPOSES**

WHEREAS, the City Council of Goshen, by Ordinance No. 35, did adopt, by reference, zoning regulations; and

WHEREAS, the City Council of Goshen, by Ordinance No. 49, did amend Ordinance 35 and the Zoning Regulations; and

WHEREAS, the City Council of Goshen, by Ordinance No. 58 did adopt changes to the zoning regulations and did adopt the document known as the "City of Goshen Amended Zoning Regulations"; and

WHEREAS, the City Council of Goshen, by Ordinance Nos. 87 and 117 did adopt changes to the zoning regulations; and

WHEREAS, the City Council of Goshen finds it necessary to amend the Zoning Regulations once again so as to amend those portions of the Zoning Regulations which address the Zoning Official, who can sign building permits and the width of access easements; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-423 and Section 11 b of the Goshen Zoning Regulations, the City Council has the power by majority vote to change the Zoning Regulations; and

WHEREAS, the City Council finds that there is a critical need to allow staff of the City to serve multiple functions, including that of Zoning Official, and to allow the Mayor or his designee to sign building permits and that these circumstances constitute an emergency.

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

SECTION 1: That the document entitled: "City of Goshen Zoning Regulations," adopted by Ordinance 35 on June 10, 2003 and subsequently amended by Ordinances 49, 58, 64, 87 and 117 is hereby amended as reflected in Sections 2, 3, and 4 hereof. All changes to said ordinances and regulations are incorporated in the previously adopted "City of Goshen Zoning Regulations."

SECTION 2: Amend Section 3, Subsection a., by **deleting** the last sentence of that

subsection and **not substituting** any language in its place, leaving unamended the remaining language so the Subsection now reads as follows:

- a. The Zoning Official shall be designated by the Mayor and approved by the City Council, and shall be responsible for the administration and enforcement of this Ordinance subject to exceptions contained herein. He may enter any structure, premises, or land to perform any duty imposed by this Ordinance.

SECTION 3: Amend Section 3, Subsection c., by **deleting** the language of that subsection and **substituting** the following language in its place:

- c. No building permit shall be issued for the erection, alteration, or moving of a building or structure until after the either the Zoning Official or the Mayor has reviewed the permit request and issued a Certificate of Zoning Compliance. All building permits shall be issued at City Hall, and may be signed by the Zoning Official, the Mayor or the Mayor's designee.

SECTION 4: Amend Section 5, Subsection j., by **deleting** the language of that subsection and **substituting** the following language in its place:

- j. Each permitted use or lot shall have access to a public street or road, provided that such may be connected to a public street by an easement for access purposes, such being of record, at least twenty five feet (25') in width.

SECTION 5: That the City Attorney and Recorder are directed to include the above referenced amendments into the current zoning regulations and create a document which shall be known as the "City of Goshen Zoning Regulations" and shall also reflect the original effective date and the dates of any amendments.

SECTION 6: That all regulations and ordinances adopted and in effect prior to the effective date of this Ordinance, are amended as necessary to give effect to this ordinance.

SECTION 7: EMERGENCY CLAUSE: Because of the need for staff of the City to perform multiple functions such as that of Zoning Official and also to allow the Mayor or his designee to sign building permits, these matters are such pressing business that it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 10th day of May, 2016.



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon

Absent

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon

Absent