

ORDINANCE NO. 141

**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, 117, and 126 did amend 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 regarding the composition of the Board of Adjustment; 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 change the membership of the Board of Zoning Adjustment 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, 117, and 126 is hereby amended as reflected in Section 2 hereof. All changes to said ordinances and regulations are incorporated in the previously adopted "City of Goshen Zoning Regulations."

SECTION 2: Amend Section 4, Subsection a., by **deleting** the language of that subsection and **substituting** the following language in its place:

- a. A Board of Zoning Adjustment is hereby established, which shall be comprised of the members of the Planning Commission. The officers of the Planning Commission shall serve in the same officer roles on the Board of Adjustment.

SECTION 3: 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 4: 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 5: EMERGENCY CLAUSE: Because of the need for the composition of the Board of Zoning Adjustment to be made more precise and easier to understand, this matter is 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 14th day of November, 2017.



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

Paula Anderson
Andy Bethell
Cathy Oliver
Dick Seddon

Names Of Those Voting NAY

Absent

Brian Buell
Lanny Samuels

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Paula Anderson
Andy Bethell
Cathy Oliver
Dick Seddon

Names Of Those Voting NAY

Absent

Brian Buell
Lanny Samuels