

**ORDINANCE NO. 150**

**AN ORDINANCE TO AMEND ORDINANCE NO. 27  
AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Goshen adopted Ordinance 27 on February 11, 2003 and thereby re-established the Goshen Planning Commission consisting of five (5) members and conferring authority thereon; and

WHEREAS, the City Council of the City of Goshen, on March 9, 2010 by Ordinance No. 90, amended Ordinance 27 adding additional terms as may be approved by the City Council and to designate a position for Secretary; and

WHEREAS, Ark. Code Ann. § 14-56-404 (a)(1) provides that “the legislative body of the municipality may create a planning commission of not less than five (5) members, of whom at least two-thirds ( 2/3 ) shall not hold any other municipal office or appointment except membership in the board of adjustment or a joint planning agency.”

WHEREAS, Ark. Code Ann. § 14-56-405 (b) provides that “the legislative body of the municipality may appoint one-third (1/3) of the membership of the commission from electors living outside the corporate limits of the municipality but within the recorded planning jurisdiction of the municipality.”

WHEREAS, the City Council finds that it is the desire of the City to add additional two (2) members to the Planning Commission.

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


SECTION 1. That Ordinance 27 is hereby amended to delete the First sentence of Section 3 and that the following language be substituted:

The Planning Commission shall consist of seven (7) members appointed by the Mayor and approved by the City Council. The Mayor may appoint and the City Council may affirm up to one-third (1/3) of the membership of the Commission from electors living outside the corporate limits of the municipality but within the recorded planning jurisdiction of the municipality.

SECTION 2. The intended effect of this ordinance is to change the number of members of the Planning Commission and make clear pursuant to state law that up to one-third (1/3) of the membership of the commission from electors living outside the corporate limits of the municipality but within the recorded planning jurisdiction of the municipality. In all other respects, Ordinance 27 is ratified and reaffirmed.

SECTION 3. EMERGENCY CLAUSE: The Goshen Planning Commission as presently constituted needs to add members to make it easier to obtain a quorum for its meetings. It is observed that development is rapidly increasing both within the territorial limits and within the planning area of Goshen and the planning commission urgently needs to make recommendations to the City Council to amend some the ordinances related to planning to address the growth. It is hereby declared that based upon 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 13<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Max Poye, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Baggett, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles Harwell, City Attorney

**ROLL CALL VOTE ADOPTING THE ORDINANCE**

Names Of Those Voting YEA

Names Of Those Voting NAY

Andy Bethell  
Brian Buell  
Cathy Oliver  
Lanny Samuels  
Dick Seddon

Absent

Paula Anderson

**ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE**

Names Of Those Voting YEA

Andy Bethell  
Brian Buell  
Cathy Oliver  
Lanny Samuels  
Dick Seddon

Names Of Those Voting NAY

Absent

Paula Anderson