

**ORDINANCE NO. 40**

**AN ORDINANCE TO PROVIDE FOR EMERGENCY VEHICLE  
AND EMERGENCY PERSONNEL ACCESS TO GATED  
COMMUNITIES IN GOSHEN, ARKANSAS; AND TO DECLARE  
AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, due to the number of gated communities existing in Goshen, Arkansas; and

WHEREAS, residents of said gated communities may require the immediate access by law enforcement and emergency service agencies; and

WHEREAS, there is a need for a uniform standard for gated communities in Goshen, Arkansas to ensure the immediate access to the gated communities by law enforcement, fire and emergency service agencies.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goshen, Arkansas:

SECTION 1. All entrance gates to gated communities in Goshen, Arkansas will be siren activated for immediate access by fire and EMS personnel.

SECTION 2. All entrance gates, in addition to being siren activated will have a key pad with a code accessible by the Washington County Sheriff's Department personnel or law enforcement personnel for the City of Goshen so that entry can be gained without using a siren.

SECTION 3. Upon activation by siren or keypad, the gate shall remain open to allow access by additional responding emergency personnel.

SECTION 4. Every property owners association or developer of a gated community in Goshen, Arkansas is to provide for modification of any existing entrance gate and provide that all future installations of entrance gates be designed to comply with the provisions of Sections 1, 2 and 3 hereto as to activation by siren or keypad. In addition to the activation by siren or keypad, the entrance gates are to be designed with shear-pins or other breakaway devices which would provide for manual opening of the gates should a power failure exist at the time of the needed access to the gated communities. In the alternative to a manual system, a back-up battery operation can be provided.

SECTION 5. The entrance gates, at the option of the property owners association or developer, may provide for a visual indicator such as a strobe light to be activated when any emergency entry to the gated community is made. Further, the property owners association or developer may provide for a device to reset the gates to normal operation by the emergency personnel upon leaving the gated community.

SECTION 6. All property owners, associations or developers of gated communities in Goshen, Arkansas are given 60 days from the date of this ordinance to modify the entrance gates of their respective gated communities in the manner and fashion as set out in this ordinance or provide after 60 days that the entrance system remain open at all times until the modification occurs. In the alternative to requiring that the entrance system remain open after 60 days, the property owners association or developer can provide that the gates be manned at whatever times that the gates are closed.

SECTION 7. EMERGENCY CLAUSE: 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 in gated communities of Goshen, Arkansas, shall be in effect immediately upon its passage, approval and publication.

PASSED AND APPROVED this 11<sup>th</sup> day of November, 2003.

  
\_\_\_\_\_  
Andy Bethell, Mayor

Attest:

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

APPROVED AS TO FORM:

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

ROLL CALL

Names of Those Voting YEA

Names of Those Voting NAY

Joe Benson  
Bob Brake  
Dean Hull  
Chuck Huskey  
Dick Seddon  
Albert Skiles