

ORDINANCE NO. 98-5

AN ORDINANCE CREATING A CITY PLANNING AND ZONING COMMISSION IN ACCORDANCE WITH THE ARKANSAS STATE LAW WITHIN CHEROKEE VILLAGE, FULTON AND SHARP COUNTIES, ARKANSAS,

BE IT ORDAINED BY THE CHEROKEE VILLAGE CITY COUNCIL THAT:

SECTION I: CREATION

Pursuant to Title 14, Chapter 56, subchapter 4 of the Arkansas Code of 1987 Annotated, as amended, a city Planning and Zoning Commission is hereby created and shall be bound by, and operate under, and in accordance with the requirements and conditions of said statute.

A. Planning & Zoning Recommendations to Mayor and Council

Following the completion of adequate studies, through discussion and appropriate public input and disclosure, the commission shall submit recommendations regarding development and redevelopment policies, general and specific plans, ordinances and regulations to the mayor and council. It is the intent that this planning and zoning process be continuous and that the commission will be an ongoing part of the decision-making process relative to development and redevelopment activity in Cherokee Village. Such studies and recommendations may be initiated by the Planning and Zoning Commission or may be requested by the Mayor and Council.

B. Appointment and Terms of Members

The commission shall be comprised of seven members, all appointed by the mayor with the advice and consent of the city council. All members shall be appointed at large. All members shall be residents of Cherokee Village. Members shall receive no compensation for planning and zoning commission service. Terms of members shall be three (3) years, provided that members of the first commission shall have terms as follows:

- Two (2) members shall have one (1) year terms
- Three (3) members shall have two (2) year terms
- Two (2) members shall have three (3) year terms

Any member may be reappointed to a three-year term. Any position vacated by a member shall be filled by the same procedure and for the period remaining in the term of that member.

C. Meetings and Rules of Procedure

Regular meeting dates shall be established by the commission and published in the same manner as other city committees and boards. The commission shall adopt rules for its own procedure. All meetings shall be open to the public and be subject to Arkansas Code provisions for elected and appointed officials. An accurate record of all meetings shall be kept, the original being filed in a journal in the City Clerk/Treasurer's office as a permanent record.

D. Secretarial Services

A secretary shall be appointed from the commission for the purpose of taking notes and other measures at all meetings of the commission and composing and typing them in order to construct an accurate record of proceedings and actions. The appointment shall be for a term of one year.

FILED  
COUNTY OF FULTON  
STATE OF ARKANSAS

DATE 12/9/2004  
GENE MAGUFFEE,  
CIRCUIT & COUNTY CLERK.

SECTION 2. INCONSISTENT ORDINANCES REPEALED

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. SERVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4. EMERGENCY PROVISIONS

Due to the urgency in completing, laying out and determining the building and zoning codes, and due to the urgency in informing residents of Cherokee Village as to these codes, an emergency is hereby declared to exist, and this Ordinance will be in full force and effect from and after its passage and approval by a majority of aldermen of the City Council of Cherokee Village.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL on the 21st day of December, 1998.

APPROVED: Marjorie Rogers  
Marjorie Rogers, Mayor

ATTEST: — Susan E. Maynard  
Susan E. Maynard, Clerk/Treasurer