

ORDINANCE NO. A2007-07

AN ORDINANCE TO AMEND 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: AN ORDINANCE CREATING A CITY PLANNING AND ZONING COMMISSION IN ACCORDANCE WITH THE ARKANSAS STATE LAW WITHIN CHEROKEE VILLAGE, FULTON AND SHARP COUNTIES, ARKANSAS, amended as follows:

THE LANGUAGE OF ORDINANCE 2003-9 AND 0 INANCE 98-5 IS HEREBY STRICKEN AND REPLACED BY:

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.

SECTION 1: CREATION

A. Planning & Zoning Recommendations to the Mayor and the City 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 (7) 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 services. Terms of all members shall be three (3) years, and members of the first commission shall have tenures appointed by the Mayor 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. A chairperson will be appointed by the commission members at the first meeting of the commission and a new chairperson shall be appointed by the commission members at the first meeting in January every year thereafter, Any position(s) vacated by a member(s) shall be filled by the same procedure and for the

period remaining in the term of the vacated member(s). During the period wherein there is a vacant position(s) and until the Mayor, with the advice and consent of the city council, appoints a new member, the remaining commission members shall be considered a quorum.

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 by the commission for the purposes 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 the proceedings and actions. The secretary appointment may be a member of the commission or if appointed outside the commission may or may not receive a commission for this appointment. The appointment shall be a term of one year.

SECTION 2: INCONSISTENT ORDINANCES REPEALED

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

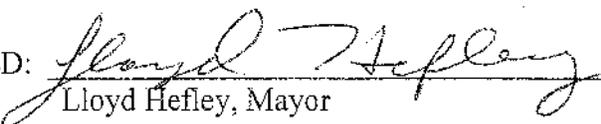
SECTION 3: SEVERABILITY

The provisions of this ordinance are hereby declared 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.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

SIGNATURES ON FILE AT CITY OF CHEROKEE VILLAGE CITY HALL

DATED: 11-15-07

APPROVED: 
Lloyd Hefley, Mayor

ATTEST: 
Phyllis Endrihs, Clerk/Treasurer