

AMENDMENT NO. 2002-02

AN AMENDMENT TO THE CHEROKEE VILLAGE ZONING CODE ORDINANCE 99-2 AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Cherokee Village City Council that the Cherokee Village Zoning Code adopted by Ordinance 99-2 on February 15, 1999, be amended as follows:

SECTION 1. TITLE

This code shall be known, cited and referred to as: The Cherokee Village Sign Permit Guidelines and Fee Codes.

SECTION 2. SIGNS

1. POLITICAL SIGNS

A. RESIDENTIAL

- 1) One sign per political candidate per lot.
- 2) Sign not to exceed five (5) square feet in size (same as for rent and for sale signs)
- 3) Sign(s) must be on residential property (not on state or city street right-of-ways).
- 4) Sign(s) may not be displayed before 45 days prior to the primary or general election day, whichever is applicable.
- 5) Political candidate is responsible to remove all signs within seven (7) days after primary election, run-off election and/or general election day, whichever is applicable.

B. COMMERCIAL

- 1) One sign per political candidate per commercial property.
- 2) Sign not to exceed thirty-two (32) square feet in size (size of 4' X 8' sheet of plywood) and not to exceed 10 feet above ground.
- 3) Sign(s) must be on commercial property (not on state or city street right-of-ways).
- 4) Sign(s) may not be displayed before 45 days prior to the primary or general election day, whichever is applicable.
- 5) Political candidate is responsible to remove all signs within seven (7) days after primary election, run-off election and/or general election day, whichever is applicable.

2. BILLBOARDS

Billboards are not permitted within the city limits of Cherokee Village.

SECTION 3. PERMIT FEE

It is hereby adopted that a permit fee of \$5.00 shall be assessed to each political candidate applying for a Special Use Permit to erect political signs in the City of Cherokee Village. An application shall be completed.

SECTION 4. BE IT FURTHER ORDAINED that:

The Sign Permit Guideline Codes may be amended and/or changed as necessary by the Planning & Zoning Commission and presented to the City Council for approval.

DATED July 15, 2002

APPROVED: Marjorie A. Rogers, mayor

ATTEST: Susan E. Maynard, Clerk/Treasurer

AMENDMENT NO. 2002-03

AN ORDINANCE TO AMEND THE CENTURYTEL OF ARKANSAS, INC. FRANCHISE FEE ADOPTED BY ORDINANCE 2002-02 AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Cherokee Village City Council that the CenturyTel of Arkansas, Inc. franchise fee adopted by Ordinance 2002-02 on March 18, 2002 be amended as follows:

SECTION 1.

SECTION 7: CONSTRUCTION AND EFFECTIVE DATES

(e) The Municipality and the Company hereby agree that this Agreement shall be in effect for a term of ten (10) years, beginning on August 1, 2002 and ending on July 31, 2012. This Agreement will automatically renewed for another ten-year period unless the Council votes otherwise.

SECTION 2. EMERGENCY PROVISION

Due to the urgency in collecting franchise fees, and due to the urgency in informing residents of Cherokee Village as to this Amendment, an emergency is hereby declared to exist, and this Amendment 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.

DATED: July 15, 2002

APPROVED: Marjorie A. Rogers, Mayor

ATTEST: Susan E. Maynard, Clerk/Treasurer

AMENDMENT NO. 2002-04

AN ORDINANCE TO AMEND THE ENTERGY ARKANSAS, INC. FRANCHISE FEE ADOPTED BY ORDINANCE 2002-03 AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Cherokee Village City Council that the Entergy Arkansas, Inc. franchise fee adopted by Ordinance 2002-03 on March 18, 2002 be amended as follows:

SECTION 1.

SECTION 9. (Paragraph 1)

Beginning the month of September, 2002 Entergy will quarterly determine and pay to the City a franchise payment in an amount equal to four and one-quarter percent (4.25%) of the preceding quarter's gross residential and commercial electric revenues as paid to Entergy by residential and commercial customers located within the corporate limits of the City. Thereafter, payments shall be made by Entergy to the City the first month of each quarter based on the preceding quarter's revenues. The first such payment is to be made in October, 2002 for September, 2002. Residential and commercial electric revenues are those revenues so classified pursuant to Grantee's uniform classification standards. Grantor shall have the right to examine and verify, from the records of the Grantee, and data relating to the gross revenues of Grantee from customers on which said franchise fee is due. In the event of a controversy between the Grantor and Grantee as to the amount of gross revenues received by Grantee in the City of Cherokee Village upon which said fee is due, such controversy shall be referred to the Arkansas Public Service Commission, or such successor regulatory agency which may have jurisdiction over the Grantee, for final determination, and the decision of said Commission shall be binding upon both parties hereto.

AMENDMENT NO. 2002-05

AN ORDINANCE TO AMEND THE NORTH ARKANSAS CO-OP. FRANCHISE FEE ADOPTED BY ORDINANCE 2002-04 AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Cherokee Village City Council that the North Arkansas Electric Co-op, Inc. franchise fee adopted by Ordinance 2002-04 on March 18, 2002 be amended as follows:

SECTION 1.

SECTION 9. (Paragraph 1)

Beginning the month of September, 2002 North Arkansas Electric Co-op will monthly determine and pay to the City a franchise payment in an amount equal to four and one-quarter percent (4.25%) of the preceding quarter's gross residential and commercial electric revenues as paid to North Arkansas Electric Co-op by residential and commercial customers located within the corporate limits of the City. Thereafter, payments shall be made by North Arkansas Electric Co-op to the City the first of each month based on the preceding month's revenues. The first such payment is to be made in October, 2002 for the month of September, 2002. Residential and commercial electric revenues are those revenues so classified pursuant to Grantee's uniform classification standards. Grantor shall have the right to examine and verify, from the records of the Grantee, and data relating to the gross revenues of Grantee from customers on which said franchise fee is due. In the event of a controversy between the Grantor and Grantee as to the amount of gross revenues received by Grantee in the City of Cherokee Village upon which said fee is due, such controversy shall be referred to the Arkansas Public Service Commission, or such successor regulatory agency which may have jurisdiction over the Grantee, for final determination, and the decision of said Commission shall be binding upon both parties hereto.