

ORDINANCE NO. 64

**AN ORDINANCE AMENDING ORDINANCES NO. 35 AND NO. 58 AND
TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of Goshen, by Ordinance No. 35, did adopt, by reference, zoning regulations; and

WHEREAS, the City Council of Goshen, by Ordinance No. 58 did adopt changes to the zoning regulations and did adopt the document known as the “City of Goshen Amended Zoning Regulations”; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-423 and Section 11 b of the Goshen Zoning Regulations, the City Council has the power by majority vote to change the Zoning Regulations; and.

WHEREAS, after due notice as required by law, the Goshen Planning Commission has heard all persons desiring to be heard regarding the amendments contained herein; and

WHEREAS, all comments, views, suggestions and recommendations have been considered and addressed, and minor changes made as deemed appropriate; and

WHEREAS, after conducting its public hearing in accordance with law, the Goshen Planning Commission reviewed the attached amendments and made certain recommendations regarding them to the City Council.

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

SECTION 1: That the document entitled: “City of Goshen Amended Zoning Regulations” adopted by Ordinance No. 58 on July 12, 2005 is amended as reflected in the attached Amendment 3 to Goshen Zoning Regulations. All provisions of the regulations unchanged by this Ordinance are readopted, but the effective date of those provisions shall be unaffected hereby.

SECTION 2: That the City Attorney and Recorder are directed to include the above referenced amendments into the current zoning regulations and create a document which shall be known as the “City of Goshen Zoning Regulations” and shall also reflect the original effective date and the dates of any amendments.

SECTION 3: That all regulations and ordinances adopted and in effect prior to the effective date of this Ordinance, are amended as necessary to give effect to this ordinance.

SECTION 4: EMERGENCY CLAUSE: Because of the fact that the position of Zoning Official has been vacant for several months and because the current ordinance restricts the ability to appoint a current official, therefore making it very difficult to conduct business on behalf of the citizens of Goshen desiring to make improvements to their property, it is viewed that an immediate solution is necessary thereby creating an emergency. 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 of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

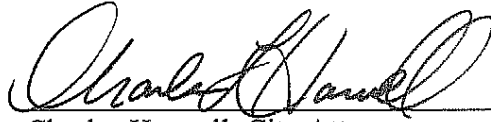
PASSED AND APPROVED this 8th day of August, 2006.

Andy Bethell, Mayor

ATTEST:

Fara Ferguson, 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

Poye
Boyd
Benson
Seddon

Absent

Meek
Huskey

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Names Of Those Voting NAY

Poye
Boyd
Benson
Seddon

Absent

Meek
Huskey

AMENDMENT 3 TO GOSHEN ZONING REGULATIONS

The document entitled: "City of Goshen Amended Zoning Regulations" originally adopted by Ordinance No. 35, and amended by Ordinance No. 58 is amended as follows:

A. Section 3a is amended to read as follows:

- a. The Zoning Official shall be designated by the Mayor and approved by the City Council, and shall be responsible for the administration and enforcement of this Ordinance subject to exceptions contained herein. He may enter any structure, premises, or land to perform any duty imposed by this Ordinance. The zoning official shall not serve in any other municipal capacity, except the City Council may approve the Building Official (f/k/a Building Inspector) to serve as Zoning Official. If under this provision the Zoning Official is also the Building Official, then the Mayor's signature shall be required in addition to the Zoning Official's wherever and whenever these regulations require such signature.

B. Section 10 c is amended to read as follows:

- c. Driveways and Access

For the specifications on this subject, refer to the Driveway Ordinance (Ordinance No. 63) adopted by the Goshen City Council on August 8, 2006 and any amendments adopted thereafter.

C. Section 10d is amended to read as follows:

- d. Ingress/Egress Driveway Width

For the specifications on this subject, refer to the Driveway Ordinance (Ordinance No. 63) adopted by the Goshen City Council on August 8, 2006 and any amendments adopted thereafter.