

ORDINANCE NO. 2015 - 17

**AN ORDINANCE AMENDING THE SEARCY CODE OF ORDINANCES;
ESTABLISHING PROCEDURES FOR ADOPTING PLANNING AREA
BOUNDARY; DECLARING AN EMERGENCY; AND FOR OTHER
PURPOSES**

WHEREAS, the Searcy City Council has reviewed modification in Arkansas law for the adoption of planning area boundaries; and

WHEREAS, the Planning Commission has, pursuant to changes in Arkansas law, adopted a modification to the jurisdiction over which the City of Searcy can exercise planning and enforcement of subdivision regulations; and

WHEREAS, the harmonious development of land, and changes in Arkansas law, demand immediate action to adopt a modified planning area boundary and an emergency is hereby declared.

NOW, THEREFORE, be it ordained by the City Council of the City of Searcy, Arkansas, to wit:

Section 1. Sections 21-9 of the Searcy Code of Ordinances are amended to read as follows:

“ 21-9 Application of Sub-Division Regulations to land lying within Planning Area Boundary.

21-9-1. The Planning Commission shall propose to the Searcy City Council, pursuant to Ark. Code Ann. § 14-56-413, as may be amended from time to time, a plan in recordable form reflecting the planning area boundary of the City of Searcy. The Planning Commission may recommend, from time to time, a proposed planning area boundary in accordance with applicable law.

21-9-2. The Searcy City Council may accept the planning area boundary by adopting a resolution approving the planning area boundary. The planning area boundary map shall be recorded in the records of White County, Arkansas.

21-9-3. The subdivision regulations of the City of Searcy, Arkansas, shall apply and be administered by the Planning Commission within the corporate limits of the City of Searcy and within the planning area that might lie beyond the corporate limits of the City of Searcy.

21-9-4. In the event that a modification in Arkansas law shall serve to reduce the planning area boundary limits to a boundary that is lesser than that adopted by the City of Searcy, then the planning area boundary shall be equal to the maximum distance from the corporate limits of the City of Searcy that might be permitted by Arkansas law.”

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. The provisions of this ordinance are separable and, upon any finding that any provision of this ordinance is unenforceable, the remaining provision shall be enforceable according to their terms

Emergency Clause. The need to provide for certainty in planning and development and for the continued harmonious design within the City of Searcy and in the planning area boundary, and in light of recent changes in Arkansas law, an emergency is hereby declared by the City of Searcy, and the foregoing ordinance is necessary for the preservation of the public peace, health, safety and welfare, and this ordinance shall be in full force and effect from and after its passage.

Adopted this 12th day of May, 2015.

The City of Searcy, Arkansas:

/s/ David Morris
Mayor

Attest:

/s/ Jerry Morris
City Clerk-Treasurer

