ORDINANCE NO. 2000-02

AN ORDINANCE REMOVING SIGNS FROM THE DEFINITION OF STRUCTURE AS DEFINED IN THE LAND DEVELOPMENT CODE FOR THE CITY OF ATKINS, ARKANSAS AND FOR OTHER PURPOSES.

WHEREAS, Members of the Atkins Planning Commission and other City officials and employees have traditionally operated under the assumption that the obtaining of a building permit was not required before the erection or construction of a sign in the City of Atkins; and,

WHEREAS, a question has recently arisen concerning whether or not a building permit must be issued before a sign can be constructed along a major interstate system traveling through the City of Atkins; and,

WHEREAS, there is an immediate need to resolve this ambiguity;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Atkins, Arkansas:

SECTION 1. Art. 2-1 DEFINITIONS B. 66. Structure of the Land Development Code is hereby amended to read as follows:

66. Structure: Anything constructed or erected on the building site for which a building permit has or should have been obtained, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, except that driveways and signs shall not be considered structures.

SECTION 2. Art. 4-1 AGRICULTURAL DISTRICT (A) B. Uses Permitted Upon Review By the Planning Commission 6. is hereby amended to read as follows:

6. Cemeteries

SECTION 3. Art. 4-1 AGRICULTURAL DISTRICT (A) J. Signs is hereby deleted, and Section K. is hereby relettered "J." and Section L. is hereby relettered "K."

SECTION 4. Art. 4-2 SINGLE FAMILY RESIDENTIAL (R-1) K. Sign Requirements is hereby deleted and Section L. is hereby relettered "K.".

SECTION 5. Art. 4-3 RESIDENTIAL USE DISTRICT (R-2) K. Sign Requirements is hereby deleted and Section L. is hereby relettered "K.".

SECTION 6. Art. 6-1 NONCONFORMING BUILDINGS AND STRUCTURES B. Outdoor Advertising Signs and Structures is hereby deleted and Section C. is hereby relettered "B." and Section D. is hereby relettered "C."

SECTION 7: This ordinance being necessary for the public peace, health and safety of the citizens of Atkins, an emergency is declared and this Ordinance shall become effective immediately upon its passage and approval.

DATED this 13th day of June, 2000.

JERRY DON BARRETT, Mayor

BRENDA GRAVES, City Clerk