ORDINANCE NO. 28

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF ATKINS, ARKANSAS AUTHORIZING AND ESTABLISHING THE ATKINS PLANNING COMMISSION TO ACT AS THE ATKINS BOARD OF ADJUSTMENT.

WHEREAS, the Land Development Code of the City of Atkins, Arkansas, provides for the establishment of a separate Board of Adjustment and the said Land Development Code has been in effect for a number of years, but the said Board has not as of yet been established by the City Council.

WHEREAS, Arkansas Statutory law provides that the Planning Commission may in addition to its normal duties be established as and act as a Board of Adjustment.

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

Article 5.5 Section 1. Paragraph 1. of the Land Development Code of the City of Atkins, Arkansas is hereby amended to read as follows:

A Board of Zoning Adjustment hereafter referred to as the Board is hereby established to consist of the members of the Planning Commission confirmed by the City Council. Each members term on the Board of Adjustment shall run concurrent with his or her term on the Planning Commission. Vacancies shall be filled for an unexpired term of any member whose term comes vacant, in the same manner as provided for the filling of vacancies on the Planning Commission.

One or more petitions for variances are in the process of being filed, at the present time, and must be acted upon in the near future. Therefore, an emergency is declared and this

ordinance being necessary for the preservation for the public peace, health and safety shall be in full force from and after its passage.

PASSED this 12th day of September, 1978.

CITY OF ATKINS, ARKANSAS

BY: _____
MAYOR

ATTEST:

_____
CITY CLERK