

ORDINANCE 2163

AN ORDINANCE TO BETTER DEFINE THE TERM "BED AND BREAKFAST"

WHEREAS, Eureka Springs Planning Commission has made a study of the current definition of "Bed and Breakfast" contained within the Municipal Code and made certain recommendations to the City Council; and,

WHEREAS, the City Council finds the recommendations well founded and prudent

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

SECTION 1. That the Definition of "Bed and Breakfast" contained in Title 14 Section 08 Subsection 13 of the Eureka Springs Municipal Code is hereby amended to read as follows:

A dwelling or area containing one (1) or more structures, at least one (1) of which is occupied by an owner or manager on-site, where, for compensation, lodging and meals are provided, generally no longer than thirty (30) days per guest, but not more than five (5) units. For the purpose of this section, "on-site" shall be defined as adjoining (i.e. sharing a boundary) and shall not include properties separated by a city street, roadway, green space or alley.

SECTION 2. Severability Clause: In the event that any section, subsection, paragraph, subdivision, clause, phrase or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance, code section or chapter as a whole, or any part or provision other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance, Code, code section or chapter shall remain in effect.

SECTION 3. Repeal Clause: All Ordinances, Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS THE 8th DAY OF OCTOBER 2012.

ATTEST:


Ann Armstrong
City Clerk/Treasurer

APPROVED:


Morris Pate
Mayor

Aldermen voting "Aye" – Parker Raphael, Lany Ballance, and Ken Pownall
Aldermen voting "No" – Butch Berry and Karen Lindblad.
Mayor Pate – "Aye" to carry