

ORDINANCE NO. 2172

**AN ORDINANCE AMENDING THE EUREKA SPRINGS MUNICIPAL
CODE SUB-SECTION 4.48.01 D**

WHEREAS, the City Council of the City of Eureka Springs, Arkansas, has reviewed the current Code Subsection 4.48.01 D of the Eureka Springs Municipal Code; and,

WHEREAS, it has been determined that it is in the best interests of the City to amend the subsection;

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

SECTION 1. That Subsection 4.48.01 D of the Eureka Springs Municipal Code is hereby amended to read as follows:

D. Sales of festival and/or related items at a city approved and permitted event, from a tent or open-air stand shall be allowable by permit issued from the Mayor's office after each department head has signed off that he/she has seen it, is aware of it and has no issues with it. These sales may take place only in approved, designated areas, and must cease immediately with the conclusion of the festival or event.

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 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 Repeal Clause: All Ordinances, Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.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 25th DAY OF FEBRUARY 2013

ATTEST:


Ann Armstrong
City Clerk/Treasurer

APPROVED:


Morris Pate
Mayor

All voted "Aye" – Joyce Zeller, David Mitchell, Terry McClung, James DeVito, and Mickey Schneider