

**ORDINANCE No. 2179**

**AN ORDINANCE AMENDING EUREKA SPRINGS MUNICIPAL CODE SUB-SECTION 13.04.02(A), REGARDING MEMBERSHIP OF THE PLANNING COMMISSION**

**WHEREAS**, the City Council of the City of Eureka Springs, Arkansas, has reviewed the current Planning Commission membership requirements; and,

**WHEREAS**, there is a need to be able to keep a more complete membership; and,

**WHEREAS**, it has been determined that it is in the best interest of the City to amend the membership requirements;

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

**SECTION 1.** That Subsection 13.04.02(a) of the Eureka Springs Municipal Code is hereby amended to read as follows:

a. The Commission shall be composed of seven (7) members, of which no more than two shall hold any other municipal office or appointment except membership on the Board of Adjustment or a joint planning agency. If there are two members who hold other municipal office or appointment, only one of them may be a member of the City Council.

**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**SECTION 3.** Repeal Clause: All Ordinances, Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.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 22nd DAY OF APRIL, 2013.**

**APPROVE:**



Morris Pate  
Mayor

**ATTEST:**



Ann Armstrong  
City Clerk/Treasurer

All voted "Aye" – Joyce Zeller, Dee Purkeypile, James DeVito, Terry McClung, and David Mitchell