

ORDINANCE NO. 1835

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF EUREKA SPRINGS, ARKANSAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. The Code entitled "Eureka Springs Municipal Code," published by Municipal Code Corporation, consisting of chapters 1 through 114, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before November 4, 1999, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than \$500.00 for any one specified offense or double for each repetition of such offense or violation for each day of continuance; if there is set forth by state law a similar offense the penalty shall be no less nor greater than that set forth by state law, provided, the commission of any act declared to be unlawful shall be deemed to be a misdemeanor. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such

penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after November 4, 1999, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Passed and approved by the city council of the City of Eureka Springs, Arkansas, this \_\_\_\_ day of

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APPROVED:

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Beau Zar Satori, Mayor

ATTEST:

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Mary Ann Lee, City Clerk