

Ordinance No. 1991

AN ORDINANCE REPEALING TITLE 8, CHAPTER 8.32, IN ITS ENTIRETY, OF THE EUREKA SPRINGS, ARKANSAS, MUNICIPAL CODE

WHEREAS, the Planning Commission of Eureka Springs, Arkansas, finds it necessary to recommend amendments to the Municipal Code from time to time in order to ensure consistent application and enforcement of the code, and

WHEREAS, parking is an ever present consideration of the Planning Commission of the City of Eureka Springs, and

WHEREAS, a Parking Authority as established by Ordinance 1474, passed and approved by the City Council March 24, 1992, has not had members appointed or held regularly scheduled meetings since 1999;

WHEREAS, the City Council of the City of Eureka Springs has the authority to establish, build, manage, and/or expand parking within the City Limits, and

WHEREAS, the Planning Commission has determined that parking is an issue requiring daily attention and should be under the control of the city's Transit Department rather than only periodic supervision of a Parking Authority,

NOW THEREFORE, be it ordained by the City Council of Eureka Springs, Arkansas, that:

1. Chapter 8.32 of the Municipal Code regarding the Parking Authority is repealed in its entirety.
2. All ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
3. The Transit Department for the City of Eureka Springs is hereby given the responsibility to:
 - a. Survey and identify all on-street and off-street parking places within the city limits, including all areas served by the Transit Department, identifying their location, ownership and usage (whether leased, private or open to the general public for a fee or at no charge) and to update same at least annually;
 - b. Investigate and pursue, as and when feasible, the establishment and development of "Park and Ride" parking lots that might be funded, in whole or in part, through one or more grant programs available from the Federal Transit Administration or any other federal, state or local authority;
 - c. Develop and implement programs and policies designed to assist residents and visitors alike in maximizing the whereabouts of available parking through such devices as, by way of example only, a parking map and enhanced signage; and
 - d. A review and recommendation by the Planning Commission for any new parking lots or

changes to existing parking before changes are made by the City Council or Mayor.

- e. Make such recommendations to the Mayor and to the City Council as the Transit Department may determine from time to time relating to the utilization of existing parking spaces, the need for and development of additional parking spaces and the role, if any, that public transportation can play in each.

4. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a court of law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

PASSED AND APPROVED, this _____ day of _____, 2005

Mayor Kathy Harrison

ATTEST:

City Clerk Mary Jean Sell