

ORDINANCE NO. 1412

AN ORDINANCE AMENDING 7.28.04 A. 23 OF THE
EUREKA SPRINGS MUNICIPAL CODE REGARDING
EXTERNAL PRICES ON SIGNS

WHEREAS, the Eureka Springs City Council recently passed an ordinance amending its sign ordinance and that said ordinance is to become effective on September 23, 1990; and

WHEREAS, the new ordinance provided, in Subsection .04 A 23 that prices were to be prohibited on external signs; and

WHEREAS, the City has learned that an action has been filed in the Chancery Court of the Western District of Carroll County, Arkansas challenging said ordinance; and

WHEREAS, the main thrust of said law suit is the prohibition on external pricing, the City Council does not want to jeopardize implementation of said ordinance and will not enforce the prohibition on pricing until a judicial determination has been made.

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

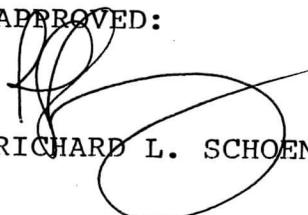
Section 1. That Subsection A. 23 of Section 7.28.04 of the Eureka Springs Municipal Code, which is to become effective on September 23, 1990, and pertains to prices on external signs, will not be enforced until its validity has been judicially determined.

Section 2. All ordinances and resolutions and parts thereof, in conflict herewith, are hereby repealed to the extent of such conflict.

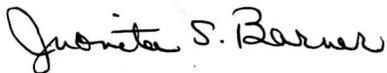
Section 3. It is hereby found by the City Council of the City of Eureka Springs, Arkansas, that an emergency is declared to exist, and is necessary for the preservation of the public peace, safety and health; and that this Ordinance shall take effect and be in full force from the date of its passage, approval and publication according to law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS THIS 10th DAY OF SEPTEMBER, 1990.

APPROVED:


RICHARD L. SCHOENINGER, Mayor

ATTEST:



JUANITA S. BARNER, Clerk