

ORDINANCE NO. 1478

AN ORDINANCE TO AMEND THE EUREKA SPRINGS MUNICIPAL CODE BY CREATING CHAPTER 7.60 "NO TRESPASSING" LOCATIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

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

SECTION 1. That the Eureka Springs Municipal Code is hereby amended by creating Chapter 7.60: NO TRESPASSING LOCATIONS, which shall read as follows:

Sections:

- 7.60.01 - Definition
- 7.60.02 - Restricted areas
- 7.60.03 - Penalties for violation

7.60.01 - Definition:

The term "No Trespassing" shall include any intrusion upon the listed city-owned property by an individual or group of individuals who do not have permission to visit said property for legitimate reason of transacting business or repairing equipment.

7.60.02 - Restricted areas:

The following areas of public property shall be designated as "No Trespassing" to the general public:

- 1) Wastewater Treatment Plant and grounds - Hwy. 23 North
- 2) All thirty acres of Public Works property and installations on Hwy. 62 East with the exception of the Public Works office, the Recycling center and their respective parking/driveways
- 3) Three lift stations owned and maintained by Public Works Dept., locations as follows:
 - a. Near the end of Huckleberry Lane
 - b. Near the bend in Pine/Oak Street
 - c. Near the end of Elm Circle
- 4) Both water storage tanks (intersection of Harvey & Oakridge and at the Inn of the Ozarks)
- 5) Transit Department garage building

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(Areas of "no trespass" continued)

- 6) City Performing Arts & Convention Center:
 - a. stage area
 - b. shop
 - c. storage rooms
- 7) Lake Leatherwood Dam

7.60.03 - Penalties for Violation:

Any person who violates this chapter shall be fined not less than fifty dollars (\$50.00) for the first violation and not less than one hundred dollars (\$100.00) for the second and subsequent offenses. Each day said violation occurs shall constitute a separate offense.

SECTION 2. All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Emergency Clause:

The elimination of possible dangers resulting from illegal trespass at the public property locations listed in this Ordinance are necessary to the preservation of the public peace, health, safety and welfare; and an emergency is hereby declared. This Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND ADOPTED BY CITY COUNCIL OF THE CITY OF EUREKA SPRINGS ON THIS 26th DAY OF May, 1992.

APPROVED:

ATTEST:


RANDY WOLFINBARGER, Mayor


City Clerk/Treasurer