

ORDINANCE #1605 (Amended)

AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.30,  
PARKING AUTHORITY

WHEREAS, the City Council of the City of Eureka Springs did create, by Ordinance #1474(Amended) dated 3/24/92, a Parking Authority with power to acquire private and public property to create additional vehicle parking; and

WHEREAS, the City Council now feels sections dealing with Acquisition of Property and Property Rights and the Construction of Facilities should be amended;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eureka Springs, that Title 8, Chapter 8.30.08, of the Municipal Code be amended to read as follows:

**Section One: Section 8.30.08 and 8.30.09 Amended**

**Section 8.30.08 Acquisition of Property and Property Rights:**

For the purpose of this chapter, the Parking Authority is authorized, with the approval and consent of the City Council, to acquire private or public, real or personal property and property rights, above, at or below the surface of the earth necessary for off-street automobile parking facilities by purchase, gift, lease or otherwise.

**Section 8.30.09 Construction of Facilities**

(a) The Parking Authority is authorized, with the approval and consent of the City Council, to construct or cause to be constructed public off-street automobile parking facilities above, at, or below the surface of the earth, including buildings, structures, equipment, entrances, exits, fencing, and all other accessories necessary or desirable for the safety or convenience of motorists using the facilities.

**Section 2.** If any part of this ordinance is held to be enforceable for any reason by a court of competent jurisdiction, such holding shall not affect the remaining parts of this ordinance, which shall remain in full force and effect.

**Section 3.** All ordinances and resolutions, and parts thereof, in conflict herewith, are hereby repealed to the extent of such conflict.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY  
OF EUREKA SPRINGS, ARKANSAS THIS 12th DAY OF July, 1994.

APPROVED:

ATTEST:

Juanita S. Barner  
Juanita S. Barner, City Clerk/Treas.

Louise O. Berry  
LOUISE O. BERRY, Mayor