

ORDINANCE NO. 1628 Amended

AN ORDINANCE AMENDING CHAPTER 12.04.02 OF THE  
EUREKA SPRINGS MUNICIPAL CODE REGARDING LANDS  
UNDER THE JURISDICTION OF PARKS COMMISSION

WHEREAS, the City Council has determined in order to preserve a "green zone" in the City, all unopened streets and alleys shall be put under the jurisdiction of the Eureka Springs Park Commission.

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

Section 1. Chapter 12.04.02 of the Eureka Springs Municipal Code is amended by the addition of a new sub-paragraph, (e), thereto:

(e) All unopened streets and alleys within the City as determined by public records.

- (1) The Parks and Recreation Commission shall have jurisdiction over Green Zone Parks at the pleasure of the City Council, and said Park land shall be held separately from any other Park properties.
- (2) In the event the City requires custody of a Green Zone Park, or portion thereof, for use as a City street or for settling a property dispute, the City may regain possession by the requisite ordinance.
- (3) Any improvements to Green Zone Parks subsequent to this ordinance shall be the responsibility of the Parks and Recreation Commission.
- (4) Maintenance of improvements prior to this ordinance, and any condition adverse to public health, safety or general welfare shall be the responsibility of the City.
- (5) Any Green Zone Park, or portion thereof, returned to the City shall include a usable easement for pedestrian traffic.

Section 2. All ordinances and parts of ordinances in conflict herewith are repealed to the extent of said conflict.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 8th DAY OF November, 1994.

APPROVED:

*Geri Bess Jowan*  
Acting Mayor

ATTEST:

*Juanita S. Barner*  
JUANITA S. BARNER, Clerk