

# **ORDINANCE NO. 119**

**AN ORDINANCE EXEMPTING THE CITY OF CHERRY VALLEY FROM THE SHIELDDED OUTDOOR LIGHTING ACT OF 2005.**

*WHEREAS, in the 2005 Legislative Session, Arkansas lawmakers passed the Shielded Outdoor Lighting Act, stating that after January 1, 2006, no public funds shall be used to install an outdoor lighting fixture unless it is shielded; and*

*WHEREAS, in a subsequent Special Session, the Legislative amended the Shielded Outdoor Lighting Act, effective July 31, 2006, to allow a city or county to adopt an ordinance exempting it from the law if they find the expense of installing shielded lighting fixtures to be cost-prohibitive; and*

*WHEREAS, the City Council of City of Cherry Valley, Arkansas has determined that the expense of installing shielded lighting fixtures is cost-prohibited to the City:*

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CHERRY VALLEY, ARKANSAS as follows:**

## **SECTION 1:**

*That the City of Cherry Valley, Arkansas is hereby declared to be exempt from the provisions of the shielded outdoor Lighting Act of 2005, as amended.*

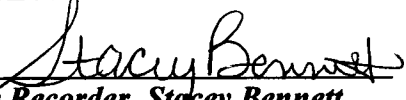
## **SECTION 2:**

*It is hereby found and declared that there is an urgent need for this exemption to be enacted; therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservation of the public health, peace, safety, and welfare, shall take effect and be in force immediately upon its passage and approval.*

*Passed this 12<sup>th</sup> day of September, 2006.*

  
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Mayor Mike Wood

**ATTEST:**

  
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City Recorder, Stacy Bennett