

ORDINANCE NO. 56

AN ORDINANCE TO CREATE A CITY PLANNING COMMISSION FOR THE CITY OF CHERRY VALLEY, ARKANSAS, TO DEFINE FUNCTIONS, POWERS, AND DUTIES OF SUCH COMMISSION, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHERRY VALLEY, ARKANSAS:

SECTION 1:

Pursuant to the provisions of Act 186 of the Acts of Arkansas for 1957, there is hereby created a City Planning Commission for the City of Cherry Valley, Arkansas, to consist of five (5) members, residents of the City, and at least two-thirds of said commission shall not hold any elective or appointive municipal office. The members of the City Planning Commission shall be nominated by the Mayor and confirmed by the City Council.

SECTION 2:

The members of said City Planning Commission shall each be appointed for a term of five (5) years, commencing with anniversary of date of this ordinance one member shall be appointed initially for a term of five (5) years, one member shall be appointed initially for a term of four (4) years, one member shall be appointed initially for a term of three (3) years, one member shall be appointed initially for a term of two (2) years and one member shall be appointed initially for a term of one (1) year. When the term of any member shall expire or when a vacancy shall otherwise occur, the Mayor shall make a nomination to fill such vacancy.

SECTION 3:

At a time and place to be designated by the Mayor which shall be within ten days after the effective date of this ordinance, the City Planning Commission shall meet and organize by electing from its members a chairman, a vice chairman, and a secretary. The chairman shall not hold any other municipal office or appointment.

The City Planning Commission shall make and adopt such rules and regulations to govern its proceedings, which shall provide for a regular meeting date of said commission at least once each monthly and offender if prescribed by the commission, and such rules and regulations shall provide for such committees as may be bound necessary and advisable, and the duties of such committee shall be prescribed by the commission. No committee may exercise duties delegated by the acts of the State of Arkansas and this ordinance the are organic to the commission. Such rules and regulations may also provide for special meetings and the manner of their calling.

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SECTION 4:

The City Planning Commission is hereby authorized to employ such assistance as deemed necessary in carrying out its duties and responsibilities. The City Planning Commission cannot expend or encumber city funds without prior appropriation by the City Council.

SECTION 5:

The City Planning Commission is hereby created is vested with all the powers and duties prescribed and set fourth in said Act 186 of 1957, and particularly shall make a comprehensive, study of present conditions and future growth of the City of Cherry Valley and its neighboring and adjacent territory, for the purpose of planning a coordinated and adjacent territory, for the purpose of planning a coordinated, adjusted and harmonious development of the municipality and its ferrous which would promote, in accordance with present and future needs, the safety, morals, order, convenience, prosperity and general welfare, of its citizens; efficiency and economy in the process of development, convenience of traffic safety from fire and other dangers, adequate light and air; healthful and convenient distribution of population; provision for adequate open spaces; good civic design and arrangement; wise and efficient expenditures of public funds; adequate provision for public utilities, and for other matters pertaining to the public requirements.

SECTION 6:

The City Planning Commission shall formulate and maintain a plan of the territory within its planning jurisdiction in accordance with said Act 186 of 1957 which plan shall at least embrace the subjects prescribed in said acts and which shall be adopted by the commission by resolution after public hearing and notice as provided in said acts.

When the City Planning Commission shall have approved any such plan or plans, the same shall be certified to the City Council and shall be filed in the Office of the City Clerk and in the Office of the Circuit Clerk of Cross County, Arkansas.

The City Council of the City of Cherry Valley, on receipt of a certified copy of a plan or plans, may accept, amend, modify or reject the plans in whole or in part. On acceptance of a plan or plans by the City Council of the City of Cherry Valley they shall be and become in full force and effect binding upon all persons with the force of law.

Whenever a plan or plans have been adopted by the City Planning Commission filed by record and acceptance by the City Council, the same shall not be changed, altered or amended except by the procedure required by Act 186 of 1957 for the adoption of a plan as specified above.

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SECTION 6: (Continued)

Whenever a plan or plans have been so adopted, filed and become effective, no new street, square, park or other public way, ground or open space or any public utility, whether publicly or privately owed, shall be constructed in any section or district of the planning jurisdiction embraced within a plan or plans until the location, character, and extent thereof shall have been submitted to the City Planning Commission in the manner prescribed in said Act 186 of 1957.

SECTION 7:

After the master street plan is adopted and filed as provided herein, the City Planning Commission shall prepare and administer rules governing the sub-division of land within its jurisdiction in accordance with said Act 186 of 1957.

SECTION 8:

The City Planning Commission shall have the authority to incorporate with official and unofficial planning bodies for the purpose of coordinating the preparation of plans for the City of Cherry Valley and its adjacent territory.

SECTION 9:

All ordinances and parts of ordinances in conflict herewith are hereby repealed, and the provisions of this ordinance shall be deemed to be separable, so that, if any portion thereof be invalid and such invalid portions may be severed from the remaining portions, such remaining portions, if otherwise valid, shall continue in full force and effect.

PASSED AND ADOPTED this 16 day of April, 1968.