

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 001 - 2010

AN ORDINANCE REGULATING THE USE OF PLAYGROUND EQUIPMENT, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Cedarville has various pieces of playground equipment procured at substantial expense and located within its public park system;

WHEREAS, the City Council of the City of Cedarville has been made aware of repeated instances in which adults have used equipment specifically designed for children in such a manner that the playground equipment was damaged and rendered unusable by children until repaired at substantial expense by the City of Cedarville;

WHEREAS, the City Council of the City of Cedarville believes that regulation of playground equipment is necessary to prevent damage to the equipment and maintain its usability for children.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: The Mayor or his representative is hereby directed to determine which pieces of playground equipment may only be used by children and are not suitable for adult use.

SECTION 2: The Mayor or his representative is hereby directed to post conspicuous notice of the restrictions created by this ordinance on or near said playground equipment determined under Section 1 of this ordinance to be suitable only for use by children. Said notice may contain the following language or substantially similar language:

THIS PLAYGROUND EQUIPMENT FOR USE BY CHILDREN UNDER SIXTEEN (16) YEARS OF AGE. VIOLATORS MAY BE FINED UP TO \$500.00 PURSUANT TO CITY ORDINANCE NO. __

001 - 2010

SECTION 3: For the purposes of this ordinance, a child or children are deemed to be individuals or persons under the age of sixteen.

SECTION 4: If any person aged sixteen years or more shall use playground equipment that has been deemed suitable only for children pursuant to Section 1 of this ordinance and said equipment has a proper notice posted as required by Section 2 of this ordinance then he or she shall upon conviction be fined not more than twenty-five dollars (\$25.00) for the first violation of this ordinance and for each successive violation the maximum allowable fine shall increase by an additional twenty-five dollars (\$25.00) not to exceed five hundred dollars (\$500.00). The Court may also impose any other reasonable or equitable condition, remedy, or punishment deemed necessary by the Court to protect the playground equipment of the City of Cedarville or to otherwise further the spirit and intent of this ordinance.

SECTION 5: This ordinance may be enforced by the mayor or his designated representative, the chief of police or other officers, or the city attorney of the City of Cedarville.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: If a court of competent jurisdiction declares any portion of this ordinance invalid or unenforceable, the remaining portions of the ordinance shall remain in full force and effect.

SECTION 8: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because otherwise the City will continue to suffer damage to its playground equipment to the detriment of the citizens of Cedarville. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS _____ DAY OF January, 2010.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 2010-006

AN ORDINANCE VACATING STREETS AND ALLEYS AND AUTHORIZING THE REDUCTION TO ACREAGE OF VARIOUS LOTS AND PARCELS AND FOR OTHER RELATED PURPOSES.

WHEREAS, a petition was duly filed with the City Council of the City of Cedarville, Arkansas, asking the City Council to vacate and abandon portions of various unused streets and alleys designated on the plat of the City now appearing of record in the plat book of the City of Cedarville and in the office of the recorder of Crawford County;

WHEREAS, the petitioner also sought confirmation that the City of Cedarville had no objection to the reduction to acreage of various lots, blocks, and parcels located on the plat book but not ever developed or used other than as acreage;

WHEREAS, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the streets and alleys or portions thereof, herein described, has heretofore been platted to be used by the public for use as streets and alleys herein described; they have never actually used by the public generally exceeding a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portions of the streets and alleys to be vacated are petitioners and as such have de facto filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the said streets and alleys.

WHEREAS, after determining that the described lots, blocks, and parcels have never been developed and have for all times subsequent to the filing of the plat been used only as undeveloped acreage belonging to the petitioner, the city has no objection to the reduction to acreage of the described parcels and that the public interest and welfare will not be adversely affected by the dissolution of the lots and blocks and reduction of the land to acreage by the county court.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: The City of Cedarville, Arkansas, releases, vacates, and abandons all its rights, together with the rights of the public generally in and to the streets and alleys designated as follows:

Those portions of Elm and Neal Streets and portions of the alley running through Blocks 6, 3, and 7 of Cedarville, Arkansas.

SECTION 2: The City of Cedarville, Arkansas, has no objection to the dissolution of the following lots and blocks so that the various parcels may be reduced to acreage by the county court:


Those portions of Lots 1-6, entire Lots 7-12 of Block 6; portions of Lots 4,5,6,7, and 11, entire Lots 8,9, and 10 of Block 3; and portions of Lots 10,11, and 12 of Block 7 all belonging to petitioner Kurt Shaw and lying within the City of Cedarville, Arkansas.

SECTION 3: A copy of the ordinance duly certified by the city clerk or town recorder shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

SECTION 4: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because this vacates various streets and alleys not used by the citizens of Cedarville and improves the welfare of citizens of the city. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 26 DAY OF October, 2010.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

CITY OF CEDARVILLE, ARKANSAS

RESOLUTION NO.: 08-2010

WHEREAS, the City of Cedarville has been awarded grant funds for the installation of a walking trail in a city park through a program funded by the Arkansas Department of Parks and Tourism Trails for Life Grant Program;

WHEREAS, the City has received several bids for construction of the walking trail project;

WHEREAS, the project engineers have recommended the acceptance of the lowest bidder, Franklin Construction, Inc.; and

WHEREAS, after due diligence in reviewing the project plans and the various bids submitted, the City Council of the City of Cedarville wishes to accept the lowest bid and enter into a contract with the construction contractor for the completion of the walking trail project.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE AS FOLLOWS:

SECTION 1: The City of Cedarville hereby accepts the bid proposal from Franklin Construction, Inc. ("Franklin") for the City Park Recreational Trail pursuant to the plans and specifications prepared by Hawkins-Weir Engineers, Inc. dated October, 2010.

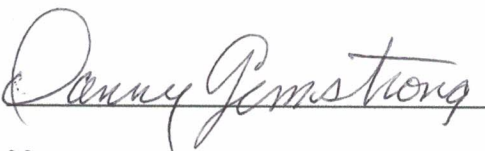
SECTION 2: The Mayor of Cedarville is hereby authorized to enter into an agreement with Franklin Construction, Inc. on terms favorable to the City of Cedarville and consistent with the project specifications and the bid submitted by Franklin for the completion of City Park Recreational Trail project.

SECTION 3: The Mayor of Cedarville is further authorized to execute any documents necessary to carry out or complete the agreement authorized under this resolution.

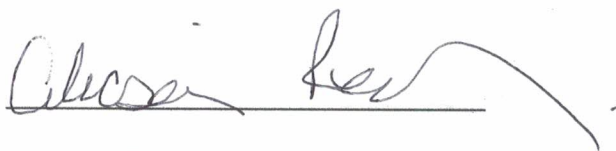
PASSED AND APPROVED ON THIS THE 8TH DAY OF NOVEMBER, 2010.

APPROVED:

ATTEST:



Mayor



Recorder-Treasurer

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 010-2010

AN ORDINANCE REGULATING THE USE OF WALKING TRAILS, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Cedarville is constructing a walking trail and may construct other walking trails in the future within its public park system;

WHEREAS, the City Council of the City of Cedarville wishes to maximize the use and enjoyment of the park walking trail facilities but wishes to ensure the safety of park patrons and the protection of the facilities themselves;

WHEREAS, the City Council of the City of Cedarville believes that regulation of park walking trail facilities is necessary to prevent damage to the facilities and to provide for the safe use and enjoyment of the facilities by park patrons.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: *Motorized Recreational Vehicle* means any self-propelled, off the road or all-terrain vehicle ("ATV") including but not limited to, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, scooter, golf cart, trail bike, dune buggy, motorized skateboard, all-terrain cycle, four-wheelers, or three-wheelers.

SECTION 2: *Skating and Cycling* means any person propelling oneself by human power or gravity on wheeled devices utilized by an individual or individuals in order to move about other than walking that are worn on a person's feet, stood upon by a person, or ridden upon by a person including but not limited to bicycles, unicycles, tricycles, roller skates, in-line skates, roller skis, skateboards, scooters, and wheelie shoes.

SECTION 3: It shall be unlawful and a violation of this ordinance for any person to operate a self-propelled vehicle, including but not limited to motor vehicles as defined in the statutes of the State of Arkansas and Motorized Recreational Vehicles on the various walking trails located in the park system of the City of Cedarville, Arkansas.

SECTION 4: It shall be unlawful and a violation of this ordinance for any person to perform Skating and Cycling on the various walking trails located in the park system of the City of Cedarville, Arkansas, in a manner inconsistent with this section:

- a. All Skating and Cycling must be in a prudent and careful manner and at a speed that is reasonable and safe with regard to the safety of the operator and other persons in the immediate area;
- b. All Skating and Cycling must be performed as close to the right-hand side of the trail as conditions permit unless passing a slower trail user;
- c. All Skating and Cycling must be conducted in a manner that does not intentionally cause damage to any park facility, fixture, city property, or the property of a third-party;

SECTION 5: This ordinance is in no way intended to restrict the use of the walking trail facilities by persons with disabilities. Persons with disabilities are permitted to use the walking trail with their usual and customary devices aiding in mobility provided that any such devices do not cause damage to the walking trail. This section is intended to include but not be limited to the following: wheel chairs, walkers, prosthetic limbs, baby strollers, or baby carriages. Any user of the walking trail facility operating under this section must comply with the provisions of Section 4 of this ordinance in order to promote the safety of all users.

SECTION 6: Upon conviction by a Court of competent jurisdiction for violation of Section 3 of this ordinance a person may be fined not less than two hundred fifty dollars (\$250.00) and not more than one thousand dollars (\$1,000.00).

SECTION 7: Upon conviction by a Court of competent jurisdiction for violation of Section 4 of this ordinance a person may be fined not less than fifty dollars (\$50.00) and not more than one thousand dollars (\$1,000.00).

SECTION 8: The Court may also impose any other reasonable or equitable condition, remedy, or punishment deemed necessary by the Court to protect the walking trail facility of the City of Cedarville, the public, or to otherwise further the spirit and intent of this ordinance.

SECTION 9: Any law enforcement officer of the State of Arkansas, County of Crawford, or City of Cedarville shall have upon probable cause the authority to seize, confiscate, or impound any vehicle, device, or other article they find used in violation of this ordinance. Any such seized, confiscated, or impounded property shall upon request be released within sixty (60) days of such seizure to the person from whom the property was taken unless otherwise ordered by the Court. The person from whom the property was seized is responsible for all reasonable fees associated with the seizure including towing, transportation, and storage fees. Prior to the release of the property any applicable fees must be paid in full.

SECTION 10: Any duly authorized law enforcement officer or prosecuting attorney including the officers of the Cedarville Police Department and the Cedarville City Attorney may enforce this ordinance.

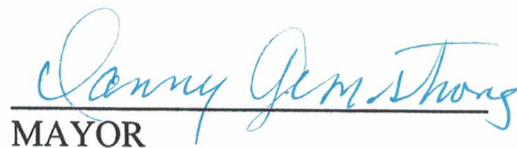
SECTION 11: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 12: If a court of competent jurisdiction declares any portion of this ordinance invalid or unenforceable, the remaining portions of the ordinance shall remain in full force and effect.

SECTION 13: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because otherwise the City will suffer damage to its park walking trail facilities and the safety of walking trail users is impaired all to the detriment of the citizens of Cedarville. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 13 DAY OF December, 2010.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. _____

AN ORDINANCE REGULATING THE SPEED LIMIT OF SALEM ROAD, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City Council of Cedarville after studying the engineering and traffic on Salem Road has determined that the speed limit for the road should be reduced; and

WHEREAS, the City Council of the City of Cedarville has determined that ten miles per hour (10 m.p.h.) is the maximum safe speed for the operation of motor vehicles on Salem Road.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: The speed limit for Salem Road within Cedarville, Arkansas shall be ten miles per hour (10 m.p.h.).

SECTION 2: The Mayor or his representative is hereby directed to post appropriate signs approved by the Arkansas State Highway Commission on Salem Road to inform motorists of the speed limit on the road.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If a court of competent jurisdiction declares any portion of this ordinance invalid or unenforceable, the remaining portions of the ordinance shall remain in full force and effect.

SECTION 5: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because otherwise the road in question will continue to be hazardous to motorists and pedestrians. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF CEDARVILLE, ARKANSAS

RESOLUTION NO. 002 - 2011

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR GRANT ADMINISTRATION WITH PREMIER GRANT SERVICES, LLC.

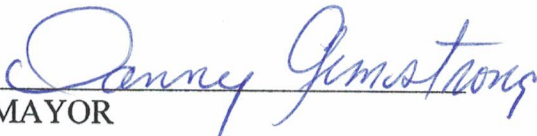
Whereas, the City of Cedarville, Arkansas has been awarded a grant for the purpose of acquiring a new police cruiser; and

Whereas, the City of Cedarville wishes to hire Premier Grant Services, LLC to provide grant administration services for said grant.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE AS FOLLOWS:

SECTION 1: The Mayor or his representative is hereby authorized to enter into and complete execution of the necessary agreements with Premier Grant Services, LLC for administration of the grant funding the Police Cruiser Project at an amount not to exceed \$200/month.

PASSED AND APPROVED THIS 14th DAY OF March 2011.


MAYOR


RECORDER/TREASURER

RESOLUTION NO.

004-2011

**A RESOLUTION ADOPTING THE CRAWFORD COUNTY HAZARD
MITIGATION PLAN UPDATES (v2) FOR THE CITY OF CEDARVILLE**

WHEREAS, certain areas of Cedarville, Arkansas, are subject to periodic flooding and other natural and man-caused hazards with the potential to cause damages to people's properties within the area; and

WHEREAS, The City of Cedarville desires to prepare and mitigate for such circumstances; and

WHEREAS, under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) required that local jurisdictions have in place a FEMA- approved Hazard Mitigation Action Plan and updated Mitigation Plan as a condition of receipt of certain future Federal mitigation funding after November 1, 2004; and

WHEREAS, to assist cities and counties in meeting this requirement, Crawford County with the assistance of Western Arkansas Planning and Development District and Bold Planning, has initiated updating the county wide, multi-jurisdiction Hazard Mitigation Plan that was initially approved in 2005. This plan includes the county and all jurisdictions in the county, specifically the cities and school districts;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDARVILLE, ARKANSAS:

That the City of Cedarville, Arkansas hereby adopts those updated portions of the Plan relating to and protecting its jurisdictional area against all hazards, 2011-2016; and

Appoints the Emergency Management Director to assure that the Hazard Mitigation Plan be reviewed at least annually and that any needed adjustment to the Hazard Mitigation Plan be developed and presented to the governing board for consideration; and

Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

APPROVED and ADOPTED on this 8 day of Aug, 2011.

APPROVED:

(Interim mayor)

Alicia Reed
Mayor

ATTEST:

Alicia Reed
Clerk Reed

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. _____

AN ORDINANCE REGULATING THE SPEED LIMIT OF SALEM ROAD, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City Council of Cedarville after studying the engineering and traffic on Salem Road has determined that the speed limit for the road should be reduced; and

WHEREAS, the City Council of the City of Cedarville has determined that ten miles per hour (10 m.p.h.) is the maximum safe speed for the operation of motor vehicles on Salem Road.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: The speed limit for Salem Road within Cedarville, Arkansas shall be ten miles per hour (10 m.p.h.).

SECTION 2: The Mayor or his representative is hereby directed to post appropriate signs approved by the Arkansas State Highway Commission on Salem Road to inform motorists of the speed limit on the road.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If a court of competent jurisdiction declares any portion of this ordinance invalid or unenforceable, the remaining portions of the ordinance shall remain in full force and effect.

SECTION 5: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because otherwise the road in question will continue to be hazardous to motorists and pedestrians. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 009-2011

AN ORDINANCE FOR THE CITY OF CEDARVILLE LEVYING A TAX FOR GENERAL MUNICIPAL PURPOSES FOR THE YEAR 2011, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Cedarville, Arkansas, is a duly incorporated city of the second class pursuant to the laws of the State of Arkansas;

WHEREAS, the City of Cedarville must have funds to operate the city and provide city services to its citizens, and can only obtain the necessary funding by levying a 3 mill tax on personal property and a 3 mill tax on real estate for the general municipal purposes of the city; and

WHEREAS, the need to fund the city government is immediate so that there is no lapse in services to the citizens such as police protection, an emergency exists such that this ordinance should go into effect immediately.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE, ARKANSAS, AS FOLLOWS:

SECTION 1: The City of Cedarville shall levy a tax pursuant to the Arkansas Constitution as amended for general municipal purposes for the year 2011 on all taxable real and personal property in the City of Cedarville, Arkansas, fixed at a rate of 3 mills on personal property and 3 mills on real property on the dollar of the assessed valuation of all real and personal property subject to taxation in the City of Cedarville, Arkansas.

SECTION 2: A certified copy of this ordinance once adopted shall be furnished to the County Clerk of Crawford County, Arkansas, such that the Quorum Court of Crawford County, Arkansas, may include this levy in the general levy for the year 2011 and cause the same to be entered upon the tax books and collected as required by law.

SECTION 3: All prior ordinances that conflict with the terms and provisions of this ordinance are hereby repealed.

SECTION 4: If any court of competent jurisdiction shall declare any portion of this ordinance illegal or otherwise unenforceable, the remaining provisions shall remain in full force and effect.

SECTION 5: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because of the need to continue funding the operation of the City of

Cedarville and for the provision of municipal services to the citizens. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 19th DAY OF October 2011.

Stephanne Dwyer
MAYOR

Alexander Kelly
RECORDER/TREASURER

CERTIFICATION

I, the City Recorder/Treasurer of Cedarville, Arkansas, certify that the foregoing ordinance was passed by a vote of 3 to 0 and the included emergency clause was passed by separate vote of 3 to 0 by the City Council of Cedarville, Arkansas, at its regular meeting held on October 19, 2011 such that the ordinance was duly adopted and approved and an emergency was declared.

Alexander Kelly
Recorder/Treasurer

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 011-14-2011-1

AN ORDINANCE REPEALING ORDINANCE NO. 009-2011, AND
OTHER RELATED PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE,
ARKANSAS, AS FOLLOWS:

SECTION 1: Ordinance No. 009-2011 is hereby repealed.

SECTION 2: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Cedarville, Arkansas, because of the need to repeal the prior millage levying ordinance due to overwhelming public sentiment before the county quorum court levies the taxes for the year at its next meeting. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 14th DAY OF November 2011

APPROVED:

ATTESTED:


MAYOR

RECORDER-TREASURER