

ORDINANCE NO. A- 312

AN ORDINANCE DECLARING THE POLICY OF THE CITY OF CONWAY, ARKANSAS WITH REGARD TO BEAVERFORK LAKE; REGULATING THE USE OF SAID LAKE; AUTHORIZING SAID CITY TO ADOPT RULES AND REGULATIONS PERTAINING THERETO; PROVIDING A PENALTY FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

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works system of said City.

SECTION 3. It shall be unlawful for any person to deposit human excreta or urine into or upon the waters of Beaverfork Lake, or to deposit same upon any lands which are adjacent to or surrounding said Lake and owned, leased or under the control of the City of Conway, Arkansas, except at such locations and facilities as may be provided therefor by said City.

SECTION 4. It shall be unlawful for any person to camp or picnic upon any lands that are adjacent to or surrounding said Beaverfork Lake which are owned, leased or under the control of the City of Conway, Arkansas, except that it shall be lawful to camp or picnic upon such portion thereof as said City may by ordinance designate and set aside for such purpose.

SECTION 5. Any person desiring to operate any boat or other such craft upon Beaverfork Lake, or desiring to fish in, upon or from said lake, shall be permitted to do so only in compliance with the rules and regulations pertaining thereto which may now or hereafter be by ordinance adopted by the City of Conway, Arkansas.

SECTION 6. It shall be unlawful for any person to wade, bathe or swim in said Beaverfork Lake.

SECTION 7. Any person, firm or corporation who shall violate any of the provisions of this ordinance, or any of the provisions of the rules and regulations pertaining thereto by ordinance adopted by said City, shall be deemed guilty of a misdemeanor and upon conviction therefor shall be fined in any sum not less than FIFTY DOLLARS (\$50.00) nor more than TWO HUNDRED DOLLARS (\$200.00)

SECTION 8. It is hereby declared that should any section, paragraph, sentence or word of this ordinance be declared for any reason invalid, it is the intent of the City Council of the City of Conway, Arkansas, that it would have passed all other portions of this ordinance independent of the elimination of any provision herefrom as may be declared invalid,

SECTION 9. This ordinance, being necessary for the protection and preservation of the public health and welfare, an emergency is declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

PASSED Feb 26, 1957.

ATTEST: W. L. Dumas
City Clerk

APPROVED: M. M. Datterfield
Mayor

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1. The City of Conway, in order to purchase lands for and construct a reservoir or lake for the municipal water supply of said City known as and named Beaverfork Lake has heretofore issued certain bonds, designated "City of Conway 1955 Water Revenue Bonds," and has applied the proceeds from the sale thereof to such purposes, with bonds are secured by the pledge of the revenues of the waterworks system of said City. In the ordinance authorising the issuance of such bonds the City of Conway made certain covenants and entered into certain contracts with the holders thereof that the City would not in any manner encumber said waterworks system to the detriment of such bond holders and *that* it would faithfully and promptly *perform* all duties with reference to said system that may be required by the Constitution and the Statutes of the State of Arkansas. In keeping with the covenants and contracts heretofore made it is the declared policy of the City of Conway, Arkansas, to comply with all laws of the State of Arkansas pertaining to municipal water supplies, and to permit such recreational use of said Beaverfork Lake as may be permitted thereunder, provided such use does not breach any such covenant or contract heretofore made and entered into.

SECTION 2. It shall be unlawful for any person, firm or corporation to place, throw, dump or deposit any limbs, trees, glass, paper, metal containers, fertilizers, garbage or any other trash, rubbish or debris or foreign matter in or upon the waters of Beaverfork Lake or any lands surrounding or adjacent thereto which may be owned, leased or under the control of the City of Conway, Arkansas, except in such receptacles or depositories as may be provided therefor. Provided, however, that nothing contained herein shall be construed as preventing said City, its lessees, agents or employees from depositing such chemicals or other substances as may be deemed necessary or proper in connection with the operation of the municipal waterworks system of said City.

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PASSED Feb. 26, 1957.

ATTEST: Walter Dunaway

APPROVED: M. M. Satterfield
Mayor