

City of Conway

R-24344

ORDINANCE NO. 0-02-166

AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE TO ALLOW DEVELOPERS TO DONATE FUNDS IN LIEU OF BUILDING SIDEWALKS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS; there are situations where it is desirable to delay the construction of sidewalks along the rear of double frontage lots in order for the sidewalk construction to coincide with the construction or repair of a street, and;

WHEREAS; the Conway Subdivision Ordinance does not currently allow construction of sidewalks along the rear of double frontage lots to take place after the filing of a plat, except where construction of the sidewalks is assured within one year of the filing;

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

Section 1 That ARTICLE V IMPROVEMENTS, SECTION 9. SIDEWALKS, (10) of the CONWAY ZONING ORDINANCE as adopted by Ordinance 0-00-03 on January 25, 2000 is hereby amended to add the following:

"In situations where the street along the rear of double frontage lots is not constructed or is in need of significant repair work and where there is a reasonable anticipation that the street will be built or repaired within the next five (5) years, the developer may, in lieu of building the sidewalk(s) and with the approval of the Planning Commission, submit to the City funds adequate (as determined by the City Engineer) to build the sidewalk(s) in their entirety. These funds shall be in the form of cash or a check for immediate deposit. These funds shall be accounted for separately. If the sidewalk(s) are not built within five (5) years of the date of submission of the funds, the funds will be returned to the developer with any interest that may have been earned by the funds during the five years."

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 3: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 12th day of November, 2002.

APPROVED:

ATTEST:

Tab Townsell

Mayor Tab Townsell

Michael O. Garrett

City Clerk Michael O. Garrett

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SHIRON RIMMER
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D. C.