

City of Conway

009949

ORDINANCE NO. O-04-31

AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE IMPACT FEE EXEMPTIONS FOR CLARIFICATION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS; it is important for those conditions where buildings are exempt from the payment of impact fees to be very clear, and;

WHEREAS; there is currently the possibility of confusion regarding when an impact fee must be paid when a building has been moved from one part of the City to another part of the City;

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

Section 1: That SECTION 12. IMPACT FEES, F. EXEMPTIONS, (2) and (3) of the Subdivision Regulations, City of Conway, Arkansas as adopted by Ordinance 0-00-03 on January 25, 2000 as amended are hereby amended to read as follows:

- " (2) Replacement of a destroyed or partially-destroyed residential building or structure with a new building or structure of the same use, and with the same number of dwelling units.
- (3) Replacement of destroyed or partially-destroyed nonresidential building or structure with a new building or structure of the same gross floor area and use."

Section 2: That SECTION 12. IMPACT FEES, F. EXEMPTIONS of the Subdivision Regulations, City of Conway, Arkansas as adopted by Ordinance 0-00-03 on January 25, 2000 as amended are hereby amended to add (2A) and (3A) that shall read as follows:

- " (2A) A residential building that is moved from within the City of Conway to another site within the City of Conway and that continues to be utilized for residential use.
- (3A) A nonresidential building that is moved from within the City of Conway to another site within the City of Conway providing the use remains the same. Any change in use that increases potential traffic generation and/or increase in floor area of this moved nonresidential building are subject to impact fees."

Section 3: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 4: 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 13th day of April, 2004.

APPROVED:

Tab Townsell

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk Michael O. Garrett

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 Date 85/14/2884
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 Filed & Recorded in BE 190
 Official Records of
 Faulkner County
 SHARON RIMMER
 FAULKNER COUNTY CIRCUIT CLERK
 Fees \$11.00
 by JLM D.C.

CERTIFICATE

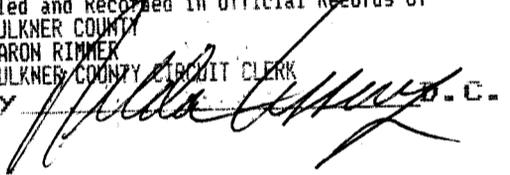
**STATE OF ARKANSAS
COUNTY OF FAULKNER
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of pictures presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 13th day of April 2004, same is duly recorded in the minutes of meeting of said Council.

Witness, my hand and seal of the City of Conway, Arkansas, this 23ed day of April, 2004.


CITY CLERK-TREASURER

Seal

CERTIFICATE OF RECORD
Doc#2004- 9838
05/14/2004
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Filed and Recorded in Official Records of
FAULKNER COUNTY
SHARON RIMMER
FAULKNER COUNTY CLERK
by  S.C.