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City of Conway, Arkansas
Ordinance No. O-10-37

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by Rln D. C.
336884

AN ORDINANCE AMENDING TITLE 12 (PARKS AND RECREATION) OF THE CONWAY MUNICIPAL CODE; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and City Council desire to amend Title 12 of the Conway Municipal Code;

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

SECTION 1. Title 12 (Parks and Recreation) Chapter 12.12 (Activity On And Around Beaverfork Lake) Section 22 (Structures) shall be amended to read as follows:

1. **12.12.22.A.2** Rules governing boat docks, boat houses, and piers generally:

Landowners wishing to construct a new structure into the lake must complete an application to apply for approval to build a structure into the lake. The applicant must submit documentation showing the location of the property for which a permit is requested, the existing lot lines and the extrapolation of these lines into the lake, the design and dimensions of the structure and the materials to be used in construction and a written agreement, signed by all owners of record of the adjacent property for which the permit is requested, providing that if the structure is removed or demolished by the City pursuant to the procedures of Chapter 12.12 of the Conway Municipal Code, the permittee, applicant and property owner agrees to pay to the City the costs of such removal or demolition. Additional documentation may be required if the submitted documents do not clearly show the application meets the requirements of this code. The Lake Supervisor as well as the City Building Inspector, and a registered professional engineer must certify the application and they must conform to Beaverfork ordinance and design guidelines. New structures permitted for construction only are subject to periodic review of city building inspectors. Final approval must be granted by the City Building Inspector in writing and the written agreement governing removal or demolition costs must be executed prior to the issuance of the annual permit and occupancy and use of the structure by the applicant. (As amended by Ord. No. O-07-97, Sec 2)

Structures in the lake must remain in good repair, pass the annual inspection, have on file with the City the written agreement governing removal or demolition costs set out above and pay the required annual fee. Failure to maintain those fees and standards or execute the written agreement shall be grounds for revoking or non-renewal of the permit, demolition of the structure, and denial of lake access.

SECTION 2. That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

SECTION 3. That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 13th day of April, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer