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**City of Conway, Arkansas**  
**Ordinance No. O-15-68**

**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 THE CITY 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:

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

a) 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, 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.

b) No structure may encroach on an imaginary line drawn from perpendicular to the property line into the lake from the existing lot corners. Structure into the lake shall be limited to one (1) per lakefront property owner and one per easement.

Two (2) adjacent landowners may construct a structure on the lot line of the properties for their joint use. The dimensions for such a structure shall be the same as a single owner structure.

All structures into the lake are for the private use of the owner except as reasonable in cases of emergency. The City reserves the right to periodically enter upon the structure for purposes of inspection and enforcement of lake regulations.

All structures into the lake must have appropriate reflective materials on the sides and ends of the structures for the safety of boaters.

All structures into the lake shall meet the minimum construction and maintenance requirements provided by the Lake Supervisor.

All remodeling, alterations, or additions to any structure must receive the written permission of the Lake Supervisor prior to work being done. Requests to alter or remodel any structure should include a description of the work to be done; detailing any dimensions changes and plans listing the location of any and all changes. The Lake Supervisor's approval will be determined by the conformance of the plans to lake regulations.

All structures into the lake must be permitted annually. Permits must be displayed on the lakeside of the structure in clear view of the lake. Permits will be good from April 1<sup>st</sup> of each year until March 31<sup>st</sup> of the following year.

c) 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.** All ordinances in conflict herewith are repealed to the extent of the conflict.

**Section 3.** This ordinance is necessary for the protection of the public peace, health and safety; 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 9<sup>th</sup> day of June, 2015.

**Approved:**



**Mayor Tab Townsell**

**Attest:**



**Michael O. Garrett**  
**City Clerk/Treasurer**

