

ORDINANCE NO. 0-91-59

AN ORDINANCE AMENDING SECTION 1.08.01 "RULES FOR CONSTRUCTION" OF THE CONWAY MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

THE FOLLOWING DEFINITIONS ARE HEREBY ADDED TO SECTION 1.08.01 OF THE CONWAY MUNICIPAL CODE;

~~Designated Agents: Any individual or department which is designated by the Mayor for the administration and enforcement of this ordinance.~~

**Curb Cut:** Any access to a parking lot from any right-of-way of any street, road, highway, or alley or from any other parking lot.

**Earth Berm:** A mounding of soil volume, or the alteration of existing plants in order to create a screen or change in elevation from the elevation of the use area to adjacent areas. Earth berm must be protected from erosion with suitable plant material, ground cover, and/or lawn grass. Earth berm should not be constructed and/or planted in areas which would destroy existing plants selected to remain in place.

**Ground Cover:** Plant materials which reach a maximum height of not more than eighteen inches and may be used in lieu of grass.

**Hedge:** Self-supporting woody deciduous or evergreen species which are a minimum of ~~fourteen~~ <sup>sixteen</sup> inches in height at the time of installation.

**Lawn Grass:** Species normally grown as permanent lawn in Faulkner County.

**Parking Lot:** All open areas and open spaces on the land which are designated, used, **required** or intended to be used for storage, parking maintenance, service, repair, display, circulation, or operation of vehicles, including automobiles, busses, trailers, trucks, boats, and motorcycles. **This** definition is intended to include areas used or intended to be used for driveways to such parking lots, but does not include improvements to public roads, streets, highways, and alleys.

**Parking Lot Permit:** A permit which must be secured from the City of Conway by any person, firm, or corporation as **part** of compliance with applicable provisions in this ordinance.

**Parking Space, Off-Street:** A space, not less than nine feet wide and eighteen feet long, with the necessary maneuvering room within private property on private Land accessible from a usable street or alley.

Trees: Self-supporting woody plants which normally grow to a minimum height of fifteen feet or greater in Faulkner County, and having trunks which can be maintained with over eight feet of clear trunk. Trees are required to have an average mature crown spread of fifteen feet. Trees having an average mature crown spread of less than fifteen feet may be substituted by grouping the same so as to create the equivalent of fifteen feet crown spread. All trees shall have a minimum caliper diameter of two inches at planting.

Validity: That in the event any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby; and it is intended that every other section, paragraph, sentence, clause, and phrase of this Ordinance shall remain and be in full force and effect.

Emergency Clause: That it is ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and publication.

Passed this 20<sup>th</sup> day of December,  
19 91.

*David A. Lerley*  
*Martha Hartwick*