

ORDINANCE NO. 1314

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO VACATE AND ABANDON THAT
CERTAIN PUBLIC ALLEY BEING SITUATED BETWEEN
LOTS 1, 2, 3, 4, 5, 6, 7 AND 8, 9, 10, 11, 12, BLOCK 1 OF
RUFFIN ADDITION TO THE CITY OF HOPE, ARKANSAS"

WHEREAS, a petition was duly filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, asking the Board of Directors to vacate and abandon all that portion of the alley designated on the plat to the City of Hope, Arkansas, now appearing of record in the Recorder's Office of Hempstead County, Arkansas, said alley being situated between Lots 1, 2, 3, 4, 5, 6, 7 and 8, 9, 10, 11, 12, Block 1 of the Ruffin Addition to the City of Hope, Arkansas.

WHEREAS, after due notice as required by law, the Board of Directors has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the alley or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as an alley herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all owners of the property abutting upon the alley to be vacated have filed with the Board of Directors their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of such alley.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION I: The City of Hope, Arkansas, hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the alley designated as follows:

All that part of the alley being located between Lots 1, 2, 3, 4, 5, 6, 7 and 8, 9, 10, 11, 12, Block 1 of the Ruffin Addition to the City of Hope, Hempstead County, Arkansas...

SECTION II: A copy of the ordinance duly certified by the City Clerk shall be filed in the Office of the Recorder of Hempstead County, Arkansas and recorded in the deed records of said county.

SECTION III: This ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED on this 5th day of January, 1999.

DENNIS RAMSEY, MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 1315

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO VACATE
THAT CERTAIN PUBLIC ALLEY BEING SITUATED BETWEEN LOTS 1, 2, 3, 4, 5
and 6, 7, 8, 9, 10, BLOCK 4, OF GREEN OAKS ADDITION TO THE CITY OF
HOPE, ARKANSAS"

WHEREAS, a petition was duly filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, asking the Board of Directors to vacate and abandon all that portion of the alley designated on the plat to the City of Hope, Arkansas, now appearing of record in the Recorder's Office of Hempstead County, Arkansas, said alley being situated between Lots 1, 2, 3, 4, 5 and 6, 7, 8, 9, 10, Block 4 of the Green Oaks Addition to the City of Hope, Arkansas.

WHEREAS, after due notice as required by law, the Board of Directors has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the questions and has ascertained that the alley or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as an alley herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all owners of the property abutting upon the alley to be vacated have filed with the Board of Directors their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of such alley.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION I: The City of Hope, Arkansas, hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the alley designated as follows:

All that part of the alley being located between Lots 1, 2, 3, 4, 5 and 6, 7, 8, 9, 10, block 4 of the Green Oaks Addition to the City of Hope, Hempstead County, Arkansas...

SECTION II: A copy of the ordinance duly certified by the City Clerk shall be filed in the Office of the Recorder of Hempstead County, Arkansas and recorded in the deed records of said county.

SECTION III: This ordinance shall take effect and be in force from and after its passage.

DENNIS RAMSEY, MAYOR

ATTEST:

LENETA HARE
CITY CLERK

ORDINANCE NO. 1316

AN ORDINANCE APPROVING THE ISSUANCE OF
REFUNDING REVENUE BONDS, SERIES 1999, BY THE
CITY OF HOPE, ARKANSAS HEALTH FACILITIES BOARD
(OMEGA HOME); AND PRESCRIBING OTHER MATTERS
RELATING THERETO.

WHEREAS, the City of Hope, Arkansas Health Facilities Board (Omega Home)(the "Facilities Board") has issued and outstanding its Revenue Bonds, Series 1989, in the original principal amount of \$405,000 (the "Series 1989 Bonds") for the purpose of financing an intermediate care facility for the mentally retarded located at 112 East Avenue D, Hope, Arkansas (the "Project"); and

WHEREAS, the Project was originally owned and operated by Omega Home, Inc. ("Omega Home") but has been sold to, and is now operated by, Rainbow of Challenges, Inc. ("Rainbow"), an affiliate of Omega Home; and

WHEREAS, Rainbow has requested that the Facilities Board issue its Refunding Revenue Bonds, Series 1999, in the maximum principal amount of \$400,000 (the "Series 1999 Bonds") for the purpose of refunding the Series 1989 Bonds; and

WHEREAS, a public hearing has been held before the Board of Directors of the City of Hope, Arkansas (the "City") on this date regarding the issuance of the Series 1999 Bonds following the publication of notice thereof in the Hope Star, a newspaper of general circulation in the City, on March 2, 1999; and

WHEREAS, the Board of Directors of the City has determined that the public purposes for which the Series 1989 Bonds were issued continue to serve a proper need;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1. The issuance of the Series 1999 Bonds by the Facilities Board in the principal amount of not to exceed \$400,000 for the purpose of refunding the Series 1989 Bonds is hereby authorized.

SECTION 2. By the adoption of this Ordinance, the City has not assumed any direct or indirect financial responsibility for the payment of the Series 1999 Bonds.

SECTION 3. The City hereby consents to the designation by the Facilities Board of the Series 1999 Bonds as "qualified tax-exempt obligations" for purposes of paragraph (3) of Section 265(b) of the Internal Revenue Code of 1986, as amended.

SECTION 4. All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. The provisions of this Ordinance are hereby declared to be separable and if any provisions shall for any reason be held illegal or invalid, such holdings shall not affect the validity of the remainder of this Ordinance.

PASSED AND APPROVED this 6th day of April, 1999.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 1317

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM I-1 TO C-2 ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, Brookshires Grocery Company, filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, a petition requesting that those lands hereinafter described be rezoned from "I-1" to "C-2";

WHEREAS, said petition was referred to the City Planning and Zoning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning and Zoning Commission has recommended that the Petition be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit:

A part of the SE 1/4 of NE 1/4 of Section 29, and part of the SW 1/4 of NW 1/4 of Section 28, all in Township 12 South, Range 24 West, Hempstead County, Arkansas, and being more particularly described as follows:

Tract 1: Beginning at the SE corner of the said SE 1/4 of NE 1/4 of Section 29, Township 12 South, Range 24 West, at a 1.5" pipe set and run thence along the South line of the said SE 1/4 of NE 1/4 of Section 29 for 29.49 feet to a 3/8" rod set on the Easterly R/W of State Highway No.4, run thence North 29 degrees 16 minutes 25 seconds West 367.39 feet along the Easterly R/W of State Highway No.4 to a 3/8" rod set on the Westerly edge of an existing concrete curb, leaving the R/W of State Highway No.4, run thence North 60 degrees 43 minutes 35 seconds East 121.20 feet to a 3/8" rod found, run thence North 29 degrees 16 minutes 25 seconds West 295 feet (passing at 125.00 feet a 3/8" rod found) to a 3/8" rod found at the Northeasterly corner of the Pizza Hut lot, run thence North 83 degrees 10 minutes 29 seconds West 150.00 feet along the Northerly line of the Pizza Hut lot to a 3/8" rod found on the Easterly R/W of State Highway No. 4, run thence North 40 degrees 51 minutes 30 seconds West 94.58 feet with the said RAW of the Highway to a 3/8" rod set, run thence North 41 degrees 09 minutes 30 seconds West 5.15 feet with the said Highway R/W to a 3/8" rod set on the Southerly R/W of the St. Louis-San Francisco Railroad and the Easterly R/W of State Highway No.4, leaving the said Highway R/W run with the said railroad R/W along a curve to the right with a Delta Angle of 41 degrees 55 minutes 45 seconds having a radius of 1838.04 feet and an arc length of 1345.08 feet, with a chord bearing and distance of South 56 degrees 07 minutes 11 seconds East 1315.26 feet to a 3/8" rod set on the South line of the SW 1/4 of NW 1/4 of Section 28, leaving the said R/W of the St. Louis-San Francisco Railroad run thence North 89 degrees 49 minutes 40 seconds West 630.09 feet along the South line of the said SW 1/4 of NW 1/4 of Section 28 back to the Point of Beginning.

Tract 2: Beginning at the SE corner of the SE 1/4 of the NE 1/4 of said Section 29, Township 12 South, Range 24 West; thence run North 88 degrees 02 minutes 07 seconds West a distance of 29.49 feet to a point; thence run North 29 degrees 16 minutes 25 seconds West a distance of 367.40 feet to a point; thence run North 60 degrees 43 minutes 34 seconds East a distance of 121.20 feet to a point; thence run North 29 degrees 16 minutes 25 seconds West a distance of 124.98 feet to the Point of Beginning; thence run North 29 degrees 16 minutes 25 seconds West a distance of 125.02 feet; thence run North 60 degrees 43 minutes 34 seconds East a distance of 18.80 feet to a point; thence run South 29

degrees 16 minutes 19 seconds East a distance of 125.02 feet to a point; thence run South 60 degrees 43 minutes 41 seconds West a distance of 18.79 feet back to the Point of Beginning.

is hereby rezoned from "I-1" to "C-2" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force and after its passage and approval.

PASSED AND APPROVED this 6th day of April, 1999.

By: _____
Dennis Ramsey, Mayor

ATTEST:

City Clerk

ORDINANCE NO. 1318

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM "C-2" TO "C-4" ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, Earnestine and Janice K. Wyatt, filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, a petition requesting that those lands hereinafter described be rezoned from "C-2" to "C-4";

WHEREAS, said petition was referred to the City Planning and Zoning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning and Zoning Commission has recommended that the Petition be approved.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit;

Lots Three (3), Four (4), and Five (5) in Block Thirty-nine (39) in the City of Hope, Arkansas.

is hereby rezoned from "C-2" to "C-4" on the Zoning Map of the City of Hope, Arkansas.

SECTION 2: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety, and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 20th day of April, 1999.

By: _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 1319

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM "C-3" TO "C-2" ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, Douglas Properties, Inc. filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, a petition requesting that those lands hereinafter described be rezoned from "C-3" to "C-2"

WHEREAS, said petition was referred to the City Planning and Zoning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning and Zoning Commission has recommended that the Petition be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit;

Lots One (1), Two (2), Three (3), and Four (4), Block Three (3), Frisco Addition to the City of Hope, Hempstead County, Arkansas, and a part of Block 3, Frisco Addition to the City of Hope, Hempstead County, Arkansas, including closed street on west and closed alley running East and West, and including part Lots Seven and Eight in said Block.

is hereby rezoned from "C-3" to "C-2" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 4th day of May, 1999.

By:

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 1319-A

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT
OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED
SECTION 14-58-303 FOR THE REPAIR OF A JOHN DEERE 750B BULLDOZER
FOR USE BY THE CITY OF HOPE SANITATION DEPARTMENT"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists in the expense to repair a John Deere 750B Bulldozer for use by the City of Hope Sanitation Department in that it is not feasible or practical to seek competitive bids for these repairs because of the urgent need by the City to repair this item and place same in use.

NOW THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope Arkansas, hereby determines that the requirements for competitive bidding for the repair of a John Deere 750B Bulldozer for use by the City of Hope Sanitation Department is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to repair this item and place same in use.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 18th day of May, 1999.

MAYOR

CITY CLERK

ORDINANCE NO. 1319-B

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO VACATE AND ABANDON A PORTION OF McRAE STREET BEING SITUATED BETWEEN LOT 1, BLOCK 17, FRISCO ADDITION AND BLOCK 16, FRISCO ADDITION TO THE CITY OF HOPE, ARKANSAS."

WHEREAS, a Petition was duly filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, asking the Board of Directors of the City of Hope, Arkansas to vacate and abandon all that portion of McRae Street designated on the plat to the City of Hope, Arkansas, now appearing of record in the Recorder's Office of Hempstead County, Arkansas, that portion of said McRae Street being situated between Lot 1, Block 17, Frisco Addition to the City of Hope, Arkansas and Block 16, Frisco Addition to the City of Hope, Arkansas.

WHEREAS, after due notice as required by law, the Board of Directors has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the questions and has ascertained that the portion of McRae Street herein above described has heretofore been dedicated to the public use as a public street; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all owners of the property abutting upon that portion of said street to be vacated have filed with the Board of Directors their written consent to such abandonment; and, that the public interest and welfare will not be adversely affected by the abandonment of that portion of said street.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope Arkansas:

SECTION 1: The City of Hope, Arkansas, hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to that portion of McRae Street designated as follows:

That portion of McRae Street situated between Lot 1, Block 17, Frisco Addition to the City of Hope, Arkansas and Block 16, Frisco Addition to the City of Hope, Arkansas.

SECTION 2: A copy of the ordinance duly certified by the City Clerk shall be filed in the Office of the Recorder of Hempstead County, Arkansas and recorded in the deed records of said county.

SECTION 3: This ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 15th day of June, 1999.

MAYOR

CITY CLERK

ORDINANCE NO. 1320

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM "C-4" TO "C-2" ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, Bob Brown, filed with the City Clerk for consideration by the Board of the City of Hope, Arkansas, a petition requesting that those lands hereinafter described be rezoned from "C-4" to "C-2";

WHEREAS, said petition was referred to the City Planning and Zoning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, following proper procedures of appeal the said petition has been approved by the City Board of Hope Arkansas.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to wit:

The north 184 feet of Lot One (1), and the South 162 feet of the North 296 feet of Lot Two (2), all in Block One (1) of the Giles Addition to the City of Hope, Arkansas.

is hereby rezoned from "C-4" to "C-2" on the zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 15th day of June, 1999.

MAYOR

CITY CLERK

ORDINANCE NO. 1321

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO
REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM
C-4 TO C-3 ON THE ZONING MAP OF THE CITY OF HOPE,
ARKANSAS, AND OR OTHER PURPOSES."

WHEREAS, Alvin and Mickey Easterling filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, a petition requesting that those lands hereinafter described be rezoned from "C-4" to "C-3";

WHEREAS, said petition was referred to the City Planning and Zoning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning and Zoning Commission has recommended that the Petition be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit:

Lots Nine (9), Ten (10), Eleven (11), And Twelve (12) in Block Twenty-eight (28) of the Brookwood Extension to the City of Hope, Arkansas.

is hereby rezoned from "C-4" to "C-3" on the Zoning Map of the City, of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 20th day of July, 1999.

By:

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 1322

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM R-1 & C-3 TO R-3 ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, Michael Morton, president of Heather Manor South, Inc., filed with the City Clerk for consideration by the Board of Directors of the city of Hope, Arkansas, a Petition praying that those lands hereinafter described be rezoned from "R-1" & "C-3" to "R-3";

WHEREAS, said Petition was referred to the City Planning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning Commission has recommended that the petition be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit:

A part of the SE 1/4 NW 1/4 of Section 4, R-13-S, R-24-W, Hempstead County, Arkansas.

Commence at the SW Corner of the said SE 1/4, NW 1/4 of Section 4 and run thence N 88 degrees 42 minutes 40 seconds E for 968.59 feet, run thence N 22 degrees 14 minutes 19 seconds E 77.58 feet to a 3/8" rod found for the POINT OF BEGINNING, run thence N 22 degrees 14 minutes 19 seconds E 629.15 feet to a 3/8" rod found, run thence S 89 degrees 31 minutes 41 seconds E 333.93 feet to a 3/8" rod found, run thence S 0 degrees 53 minutes 38 seconds E 609.25 feet to a 1/2" rod found, run thence N 89 degrees 26 minutes 30 seconds W 151.01 feet to a 1/2" rod found, run thence S 0 degrees 28 minutes 22 seconds W for 20.00 feet to a 3/8" rod found, run thence N 89 degrees 31 minutes 41 seconds W 216.85 feet back to the POINT OF BEGINNING, containing 5.00 acres more or less.

Commonly known as: 400 W. 23rd, Hope, Arkansas.

is hereby rezoned from "R-1" & "C-3" to "R-3" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefor, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 20th day of July, 1999.

By:

Mayor

ATTEST:

City Clerk

ORDINANCE NO.1323

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO
REZONE CERTAIN PROPERTY IN THE CITY OF HOPE
FROM R-2 TO R-5 ON THE ZONING MAP OF THE CITY
OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, on 3rd day of August, 1999, B & J Investments, a partnership, and Wm. Randal Wright, its attorney, filed with the City Clerk for consideration by the Board of Directors with the City of Hope, Arkansas, a petition praying that those lands hereinafter described be rezoned from "R-2" to "R-5"; and

WHEREAS, said petition was referred to the City Planning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning Commission has recommended that the Petition be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS.

SECTION I: That the following described property in the City of Hope, County Of Hempstead, State of Arkansas, to-wit:

Lots 8A, 8B, 9A, 9B and 10A in Block 2 of Fairview Addition to the City of Hope, Arkansas

is hereby rezoned from "R-2" to "R-5" on the Zoning Map of the City of Hope, Arkansas

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after the passage and approval hereof.

PASSED AND APPROVED this 7th day of September, 1999.

By: _____
Mayor

ATTEST:

CITY CLERK

ORDINANCE NO. 1324

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM R-2 TO C-4 ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES.

WHEREAS, Randy Bobo, filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, a petition praying that those lands hereinafter described be rezoned from "R-2" to "C-4";

WHEREAS, said petition was referred to the City Planning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning Commission has recommended that the Petition be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit:

Lots One and Two, Block Five, Ruffins Addition to the City of Hope, Arkansas

is hereby rezoned from "R-2" to "C-4" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be re classified immediately for the orderly growth and development of the City of Hope; therefore, this ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 7th day of September, 1999.

By: _____
MAYOR

CITY CLERK

ORDINANCE NO. 1325

AN ORDINANCE TO REZONE A PORTION OF RUFFIN'S ADDITION TO THE
CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, a Petition to Rezone was duly filed with the city board of directors of the City of Hope, Arkansas, requesting the City of Hope, Arkansas, through the Planning and Zoning Commission and the Board of Directors, to rezone a certain portion of Ruffin's Addition to said city; and

WHEREAS, after due notice as required by law, the Planning and Zoning Commission of the City of Hope, Arkansas, at the time and place mentioned in the notice, and in a public hearing, heard all persons desiring to be heard on question; and

WHEREAS, after said hearing, the Planning and Zoning Commission of the City of Hope, Arkansas, voted to recommend that said rezoning be granted; and

WHEREAS, the Board of Directors of the City of Hope, Arkansas, has determined that a rezoning of said property from current classification C-4 to new zoning classification C-2 would be appropriate.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION 1: The following described real property in the City of Hope, Arkansas, to-wit:

The South 10 feet of Lot 5, and all of Lot 6, Block 9, Ruffin's Addition to the City of Hope, Arkansas.

is hereby rezoned from its current zoning classification of C-4 to new zoning classification C-2, and the zoning map of the City of Hope, Arkansas, shall be amended to reflect said changes.

SECTION 2: All ordinances in conflict herewith be, and the same are hereby, repealed

SECTION 3: It being determined by the Board of Directors of the City of Hope, Arkansas, that this ordinance is necessary for the public convenience, health, safety and welfare, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

ADOPTED THIS 21st DAY OF SEPTEMBER, 1999.

BY: _____
MAYOR

CITY CLERK

ORDINANCE NO. 1326

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM A R-2 TO A R-5 ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS AND FOR OTHER PURPOSES."

WHEREAS, Thomas L. Wilson, filed with the city clerk for consideration by the board of directors of the city of Hope, Arkansas, a petition praying that those lands hereinafter described to be rezoned from "R-2" to "R-5";

WHEREAS, Said petition was referred to the city planning commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, The city planning commission has recommended that the petition be approved.

NOW THEREFORE, Be it ordained by the city board of the City of Hope, Arkansas:

SECTION I: That the following described property in the City of Hope, Hempstead County, Arkansas, to-wit:

503 N. Walker Street, part of the NE 1/4, SE 1/4, section 28, T-12-S, R-24-W.

Commence at the NW corner of said forty acres and run south 330 feet to point of beginning. Thence run east 210 feet, thence run south 70 feet, thence run south 70 deg. west for 180 feet, thence run N 15 deg. west for 115 feet back to point of beginning. Containing .41 acres more or less.

is hereby rezoned from "R-2" to "R-5" on the zoning map of the City of Hope, Arkansas.

SECTION II: The zoning map of the City of Hope, Arkansas, shall be amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; Therefore, this ordinance being necessary for the peace, safety and welfare of the inhabitants of said city, this ordinance shall take effect and be in full force from and after its passage and approval.

Passed and approved this 21st day of September, 1999.

By: _____
MAYOR

CITY CLERK

ORDINANCES NO. 1327

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM R-2 TO C-3 ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, on the 26th day of August, 1999, P&W Properties, a Partnership, and Wm. Randal Wright, its attorney, filed with the City Clerk for consideration by the Board of Directors with the City of Hope, Arkansas, a petition praying that those lands hereinafter described be rezoned from "R-2" to "C-3"; and

WHEREAS, said petition was referred to the City Planning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, said petition was amended to state that those lands hereinafter described be rezoned from "R-2" to "C-3"; and

WHEREAS, the City Planning Commission has recommended that the amended Petition be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, County of Hempstead, State of Arkansas, to-wit:

Commencing at an iron pin at the intersection of the South line of Sixteenth Street with the East line of said Railroad Row; thence Eastwardly with the South line of Sixteenth Street 221 feet for the Point of Beginning; Thence East 100 feet to a point for a corner; thence South 250 feet along the West line of Elm Street to a point for a corner; thence West 100 feet to a point for a corner; thence North 250 feet to the Point of Beginning; a tract of land containing the East 100 feet of Lots One (1), Two (2), Three(3), Four(4), and Five(5) of Block Four (4) of the Hillcrest Addition to the City of Hope, Arkansas, this tract containing 25,000 square feet or .5739 acre of land;

LESS AND EXCEPT, Part of Lot One (1), Block Four (4), of Hillcrest Addition to the City of Hope, Hempstead County, Arkansas, more particularly described as follows: Starting at the Southeast Corner of Lot Five (5), Block Four(4), of Hillcrest Addition to the City of Hope, Arkansas; thence North 00°27'59" East along the East line of Lots One (1) through Five (5) a distance of 74.768 to a point on the Southerly proposed right of way line of 16th Street for the Point of Beginning; Thence North 87°34'01" West along said proposed right of way line a distance of 30.497 meters to a point; thence North 00°27'59" East a distance of 1.048 meters to a point on the Southerly existing right of way line of 16th Street; thence South 88°00'57" East along said existing right of way line a distance of 30.489 meters to the Northeast Corner of Lot One(1), Block Four (4), Hillcrest Addition to the City of Hope, Arkansas; thence South 00°27'59" West along the East line of Lot One (1), Block Four (4), Hillcrest Addition a distance of 1.288 meters to the point of beginning and containing 36 square meters more or less.

is hereby rezoned from "R-2" to "C-3" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being

necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after the passage and approval hereof.

PASSED AND APPROVED this 21st day of September, 1999.

BY: _____
MAYOR

CITY CLERK

ORDINANCE NO. 1328

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY IN THE CITY OF HOPE FROM C-4 TO C-3 ON THE ZONING MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, Jim and Rebecca Ralph, filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, a petition requesting that those lands hereinafter described be rezoned from "C-4" to "C-3";

WHEREAS, said petition was referred to the City Planning and Zoning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning and Zoning Commission has recommended that the Petition be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described in the City of Hope, Hempstead County, Arkansas, to-wit:

Part of the SE 1/4 NE 1/4, Section Four (4), Township Thirteen (13) South, Range Twenty-four (24) West, Hempstead County, Arkansas, more particularly described as: Commence at the SE Corner of SE 1/4, NE 1/4, Section 4, T-13-S, R-24-W and run North 00°58'46" East for 67.56 feet to a 3/8 inch rod set on the North Right-of-way of Highway 29 Bypass as THE POINT OF BEGINNING, thence South 89°38'11" West along the said Right-of-way for 263.30 feet to a 3/8 inch rod set; thence North 00°58'46" East for 267.16 feet to a 3/8 inch rod set; thence South 89°20'8" East for 263.23 feet to a 3/8 inch rod set; thence South 00°58'46" West for 262.43 feet back to THE POINT OF BEGINNING, containing 1.6001 acres more or less.

is hereby rezoned from "C-4" to "C-3" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 21st day of September, 1999.

By: _____
Mayor

City Clerk

ORDINANCE NO. 1329

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE PURSUANT TO ARKANSAS CODE SECTION 14-58-303, WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING FOR THE PURCHASE OF A CONVEYOR SYSTEM FOR USE AT THE HOPE MUNICIPAL LANDFILL"

WHEREAS, the City of Hope, Arkansas operates a municipal landfill that includes a baling facility for the disposal of residential waste; and,

WHEREAS, part of the baling facility includes a conveyor belt system for transporting the residential waste into the baling machine for compaction; and,

WHEREAS, the present conveyor system has failed and is in need of replacement; and,

WHEREAS, after advertising for bids for replacement of the conveyor system, only one bid was received, that being from Conway Industrial Systems, Inc., which bid was in excess of the estimated replacement cost of the conveyor system; and,

WHEREAS, the Board of Directors of the City of Hope, Arkansas by an affirmative vote rejected the bid received from Conway Industrial Systems, Inc., and instructed the City Manager to negotiate with Conway Industrial Systems, Inc., in an effort to negotiate an acceptable contract price for the purchase and installation of a new conveyor system; and,

WHEREAS, after negotiations with Conway Industrial Systems, Inc., a proposal has been submitted for the construction and installation of a new conveyor system; and,

WHEREAS, the Board of Directors of the City of Hope has determined that an exceptional situation exists concerning the purchase and installation of the subject conveyor system in that the conveyor system is urgently needed by the City and it is not feasible or practical to seek competitive bids for the purchase of this conveyor system.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: The Board of Directors of the City of Hope, Arkansas hereby determine that the requirement for competitive bidding for the purchase and installation of a conveyor system for the baling facility located at the Hope Municipal Landfill is deemed not feasible or practical and is hereby waived.

SECTION 2: This action being necessary to the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 5th day of October, 1999.

MAYOR

CITY CLERK

ORDINANCE NO. 1330

AN ORDINANCE TO BE ENTITLED "AN ORDINANCE TO AMEND THE CITY OF HOPE
LAND DEVELOPMENT CODE, AND FOR OTHER PURPOSES,"

WHEREAS, on the 2nd day of December 1981, the City of Hope Board of directors adopted by Ordinance No. 1032 a Land Development code for the City of Hope, Arkansas; and,

WHEREAS, the City of Hope Planning & Zoning Commission has considered the matter and proposed that certain amendments be made to the Land Development Code,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the Land Development code for the City of Hope, Arkansas, adopted December 2, 1981, by Ordinance No. 1032, be amended to include the following:

Land Development code, Part A-Zoning, Chapter 1-Definitions, Article 1-1 Definitions

3. Advertising Sign or Structure. Any cloth, card, paper, metal, wooden, plastic, plaster, stone sign or other sign, device, or structure of any character whatsoever, including statues, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, or structure. The term "place" shall include erecting, constructing, projecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever. The area of an advertising structure shall be determined as the area of the largest cross-section of the structure. Neither directional, warning, nor other signs posted by public officials in the course of their public duties shall be construed as advertising signs for the purpose of this ordinance. Merchandise or materials being offered for sale shall not be construed as advertising signs.
42. Banner. Any cloth, card, paper, or plastic sign or device which is meant for temporary advertisement and which is not permanently affixed to a structure.
43. Billboard. Any structure or sign meant primarily for advertising which exceeds 50 square feet in area.
44. Temporary Sign. A sign which is temporary in nature and appearance and not constructed or intended for long-term use and which is intended to advertise special promotional items or messages.
45. Portable Sign. A sign which is designed to be moved easily and not permanently affixed to the ground or to a structure or building. Permanently affixed shall mean anchored as stipulated in the Section 2303 construction of the 1991 Edition of the Standard Building Code and electrical codes.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-3 (Residential Use District R-3)

J. Sign Requirements

1. No sign or advertising displays are permitted except that one sign not exceeding 12 square feet in area, may be erected to advertise the entire premises as being for sale or rent; and that a bulletin display not exceeding 15 square feet may be maintained in the front yard of a church.
2. For multi-family dwellings, no more than one sign not exceeding 15 square feet in area may be erected to

advertise the entire premises.

3. The location of such signs shall be at least 10 feet from any street right-of-way.
4. There shall be no advertising signs for home occupations other than one non-illuminated nameplate not more than 2 squares feet in area attached to the main or accessory building.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-4 (Mobile Home Park R-4)

C. Sign Requirements

1. No sign or advertising displays are permitted except that one sign not exceeding 15 square feet in area may be erected to advertise the entire premises; and that a bulletin display not exceeding 15 square feet may be maintained in the front yard of the main office of the park.
2. The location of such signs shall be off any street right-of-way.
3. There shall be no advertising signs for home occupations other than one non-illuminated nameplate not more than 2 square feet in area attached to the main or accessory building.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-45 (Residential Use District R-5)

J. Sign Requirements

1. No sign or advertising displays are permitted except that one sign not exceeding 12 square feet in area, may be erected to advertise the entire premises as being for sale or rent; and that a bulletin display not exceeding 15 square feet may be maintained in the front yard of a church.
2. For multi-family dwellings, no more than one sign not exceeding 15 square feet in area may be erected to advertise the entire premises.
3. The location of such signs shall be at least 10 feet from any street right-of-way.
4. There shall be no advertising signs for home occupations other than one non-illuminated nameplate not more than 2 square feet in area attached to the main or accessory building

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-5 (Central Business District C-1)

H. Sign Requirements

1. Each business establishment may install no more than two attached signs on each visual side of its building to advertise product(s) and/or the name of the firm provided that:
 - (a) Each sign shall not exceed either one-fifth the building's height and one-third the building's length or 50 square feet in area, whichever is greater,
 - (b) No sign shall extend higher than the front of the building.

2. Each business establishment may affix no more than two banners on each visual side of its building which are temporary in nature provided that:
 - (a) Each banner shall not exceed 40 square feet in area,
 - (b) No banner shall be displayed more than 30 days in any 60 day period.
3. Each business may advertise with one temporary sign provided that such sign is removed from view at the end of each business day.
4. Portable signs shall not be permitted.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-6 (Highway Commercial District C-2)

L. Sign Requirements

1. Each business establishment may install no more than two attached signs on each visual side of its building to advertise product(s) and/or the name of the firm provided that:
 - (a) Each attached sign shall, not exceed either one-fifth the building's height and one-third the building's length or 50 square feet in area, whichever is greater,
 - (b) No attached sign shall extend higher than the front of the building.
2. Each business establishment may install no more than one detached sign on each visual side of its building to advertise product(s) and/or the name of the firm provided that:
 - (a) Each detached sign shall not exceed 50 square feet in area
 - (b) No detached sign shall extend higher than 50 feet,
 - (c) Signs greater than 50 feet in height may be permitted only by special use upon review by the Planning and Zoning Commission.
3. Each business establishment may affix no more than two banners on each visual side of its building which are temporary in nature provided that:
 - (a) Each banner shall not exceed 40 square feet in area
 - (b) No banner shall be displayed more than 30 days in any 60 day period
4. Each business may advertise with one temporary sign provided that such sign is removed from view at the end of each business day.
5. Each business may advertise with one portable sign provided that such sign is removed from view within 90 days after the initial commencement of business.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-7 (Neighborhood Commercial District C-3)

I. Sign Requirements

1. Each business establishment may install one attached sign

per visual side, not exceeding 20 square feet in area to advertise product(s) and/or the name of the firm provided that:

- (a) No sign shall be located within 10 feet of the street right-of-way or of a residential district.
 - (b) No sign shall be illuminated by other than a constant indirect ray, the source of which is not visible from any property line.
 - (c) No sign shall extend higher than the front of the building.
2. Each business establishment may install one detached sign on each visual side of its building to advertise product(s) and/or the name of the firm provided that:
 - (a) Each detached sign shall not exceed 20 square feet in area,
 - (b) No detached sign shall extend higher than the front of the building.
 3. Each business establishment may affix no more than two banners on each visual side of its building which are temporary in nature provided that:
 - (a) Each banner shall not exceed 40 square feet in area,
 - (b) No banner shall be displayed more than 14 days in any 60 day period.
 4. Each business may advertise with one temporary sign provided that such sign is removed from view at the end of each business day.
 5. Each business may advertise with one portable sign provided that such sign is removed from view within 90 days after the initial commencement of business.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-8 (Office Commercial District C-4)

22. One attached sign not exceeding 12 square feet in size, advertising businesses or services carried on in the principal structure. Attached signs may be illuminated only by a constant indirect ray, the source of which is not visible from any property line.
23. One detached sign not exceeding 12 square feet in area. The detached sign may not be closer than 10 feet from the right-of-way of any street and the height of any such unattached sign shall not exceed 5 feet from the ground. Detached signs may not be illuminated.
24. Each business establishment may affix no more than one banner on each visual side of its building which is temporary in nature provided that:
 - (a) Each banner shall not exceed 20 square feet in area,
 - (b) No banner shall be displayed more than 7 days in any 60 day period.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-9 (Heavy Industrial District I-1)

H. Sign Regulations

1. Each business establishment may install one sign not exceeding 50 square feet in area to advertise a product

or products in the name of the firm provided that:

- (a) No sign shall be located within 10 feet of the street right-of-way or of a residential district.
- (b) No sign shall be illuminated by other than a constant indirect ray, the source of which is not visible from any property line.
- (c) No sign shall extend higher than the front of the building.

Land Development Code, Part A-Zoning, Chapter III-Use and Area Districts, Article 3-10 (Light Industrial District I-2)

I. Sign Regulations

- 1. Each business establishment may install one sign not exceeding 32 square feet in area to advertise a product or products in the name of the firm provided that:
 - (a) No sign shall be located within 10 feet of the street right-of-way or of a residential district.
 - (b) No sign shall be illuminated by other than a constant indirect ray, the source of which is not visible from any property line.
 - (c) No sign shall extend higher than the front of the building.

SECTION II: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION III: It is ascertained and determined that this ordinance is necessary for the peace, safety and welfare of the inhabitants of the City of Hope and, therefore, this ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED on this 2nd day of November, 1999.

BY: _____
Mayor

City Clerk

ORDINANCE NO. 1331

AN ORDINANCE AMENDING THE HOPE LAND DEVELOPMENT CODE BY
ADDING A NEW PART A, CHAPTER X, ENTITLED "WIRELESS
COMMUNICATIONS FACILITIES;" AND FOR OTHER PURPOSES.

WHEREAS, the Federal Government through the Federal Communications Commission (FCC), has issued wireless communications licenses for cellular, personal communication services (PSC), paging and other providers of wireless antenna services;

WHEREAS, the demand by citizens for new wireless communications services has produced an increased need for installation of wireless antennas and wireless communications facilities to serve the public, including the citizens in Hope;

WHEREAS, the FCC has required license holders to provide coverage to areas where wireless communications licenses have been acquired and this may require such facilities to be conducted in specified locations and manners, determined by engineering standards to achieve such coverage, and thus, there may be limited ability to choose alternative locations;

WHEREAS, the Federal Telecommunications Act of 1996 (FTA) preserves local zoning authority to regulate WCF; provided, however, that localities may not unreasonably discriminate between FCC license holders and that localities cannot prohibit or effectively prohibit the provision of wireless services, and the FTA gives the FCC sole jurisdiction over radio frequency emissions, provided the WCF meet FCC standards therefor;

WHEREAS, additional WCF are required to provide quality communication services to meet the growing needs of the public and businesses for wireless communications and should be accommodated in the City;

WHEREAS, WCF should be reasonably regulated to minimize potential adverse aesthetic impacts on the surrounding area; and

WHEREAS, the Planning and Zoning Commission has reviewed and has recommended the adoption of the regulations for wireless communications facilities,

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hope, Arkansas

SECTION 1. The Hope Land Development Code is hereby amended by adding a new Part A, Chapter X, entitled "Wireless Communications Facilities" as follows:

CHAPTER X. WIRELESS COMMUNICATIONS FACILITIES.

Article 10-1. Purpose and goals.

- (a) Purpose. The purpose of this Chapter is to establish general guidelines for the siting of Wireless Communications Facilities (WCF) and granting of Tower Use Permits (TUP).
- (b) Goals. The goals of this Chapter are to:
 - (1) provide a range of locations for WCF in all residential, commercial and industrial zones unless otherwise prevented;
 - (2) provide clear locations standards addressing the siting of WCF within each zoning district;
 - (3) encourage the location of WCF on existing structures, including utility poles, signs, water towers, buildings and other WCF where feasible;

- (4) encourage Collocation and Site Sharing of new and existing WCF;
- (5) facilitate the use of public property and structures for WCF;
- (6) streamline and expedite permitting procedures to effect compliance with the Federal Telecommunications Act of 1996;
- (7) enhance the ability of providers of telecommunications services to provide such service to the community quickly, effectively, and efficiently; and
- (8) protect residential and historic areas from the uncontrolled development of WCF by requiring reasonable siting conditions.

Article 10-2. Definitions.

Antenna Array means one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include an omni directional antenna (rod), a directional antenna (panel) and a parabolic antenna (disc). The Antenna Array does not include the Support Structure defined below.

Attached Wireless Communications Facility (Attached WCF) means Antenna Array attached to an existing building or structure which shall include, but not be limited to, utility poles, signs, water towers, with any accompanying pole or device that attaches the Antenna Array to the existing located either inside or outside the Attachment Structure.

Collocation or Site Sharing means use of a common WCF or common site by two or more wireless license holders or by one wireless license holder for more than one type of communications technology or placement of a WCF on a structure owned or operated by a utility or other public entity.

Department means the Code Enforcement Department.

Department Standards, as used in this Chapter shall mean those standards set forth in Article 10-4 hereof.

Equipment Facility means any structure used to contain ancillary equipment for a WCF that includes cabinets, shelters, an extension or addition onto an existing structure, pedestals, and other similar structures.

FAA means the Federal Aviation Administration.

FCC means the Federal Communication Commission.

FTA means the Federal Telecommunications Act of 1996.

Height, when referring to a WCF, shall mean the distance measured from ground level to the highest point on the WCF, including the Antenna Array.

Review Process. As used in this Chapter, Review Process shall mean those processes set forth in Article 10-5 herof.

Setback means the required distance from the foundation of WCF land based elements, including guy-wires, to the property lines of the parcel on which the WCF is located.

Stealth Technology means systems, components and materials used in the construction of WCF which are designed to mask or conceal the WCF to make it less visually intrusive to the surrounding property.

Support Structure means a structure designed and constructed specifically to support an Antenna Array, and may include a monopole tower, a self supported lattice tower, a guy-wire supported tower or other similar structures. Any device used to fasten an Attached WCF to an existing building or structure shall be excluded from the definition of and regulations applicable to Support Structures.

Temporary Wireless Communications Facility (Temporary WCF) means a WCF to be placed in service for ninety (90) or fewer consecutive days at the same location.

Tower Use Permit (TUP) means a permit issued by the City specifically for the location, construction and use of a WCF subject to an approved site plan and any special conditions determined by the Code Enforcement Officer or Planning and Zoning Commission to be appropriate under the provisions of this Chapter.

Wireless Communications means any personal wireless service as defined in the Telecommunications Act of 1996, which includes FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed.

Wireless Communication Facility (WCF) means any unstaffed facility for the transmission or reception of wireless telecommunications services, usually consisting of an Antenna Array, connection cables, an Equipment Facility, and a Support Structure to achieve the necessary elevation. This definition may also include an attachment to an existing structure.

Article 10-3. Applicability.

- (a) Permit Required. No person, firm or corporation shall install or construct any WCF unless and until a Tower User Permit (TUP) has been issued pursuant to the requirements of this Chapter.
- (b) Pre-existing WCF. WCF for which a permit has been issued prior to the effective date of this Chapter shall not be required to meet the requirements of this Chapter as further specified in Article 10-9 hereof.
- (c) Amateur Radio Exclusion. This Chapter shall not govern the installation of any amateur radio facility that is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.
- (d) Relationship to Other Ordinances. This Chapter shall supersede all conflicting requirements of other code provisions and ordinances regarding the locating and permitting of WCF.
- (e) Building Codes. Construction of all WCF's shall comply with the requirements of the City of Hope Building Codes and permitting process in addition to the requirements of this Chapter.

Article 10-4. Development standards.

- (a) Height Standards. The following height standards shall apply to all WCF facility installations.
 - (1) Attached WCF. Attached WCF shall not add more than twenty (20) feet in height to the existing building or structure to which it is attached (Attachment Structure).
 - (2) WCF with Support Structures. WCF with Support Structures shall have a maximum height of 150 feet in

all zones except residential zones wherein the maximum height shall be 100 feet.

- (b) Setback Standards. The following setback standards shall apply to all WCF installations.
- (1) *Attached WCF*. Antenna Arrays for Attached WCF are exempt from the setback provisions of the zone in which they are located. An Attached WCF Antenna Array may extend up to 30 inches horizontally beyond the edge of the Attachment Structure so long as the Antenna Array does not encroach upon an adjoining parcel.
 - (2) *WCF with Support Structures*. WCF with Support Structures shall meet the setback requirements for principle structures of the applicable zone in which they are located.
 - (3) *WCF with Support Structures abutting or located in residential zones*. WCF with Support Structures which abuts property zoned residential on any side or which is located within any residential zone, shall be set back a distance at least the height of the tower measured from the base of the tower to the property line of the residential lot.
- (c) Landscaping and Screening. The following landscaping and screening requirements shall apply to all WCF facility installations.
- (1) *New Construction*. New WCF With Support Structures and Attached WCF with new building construction shall be landscaped in accordance with the applicable provisions of the landscape ordinance which may now or hereafter be adopted.
 - (2) *Land Form Preservation*. Existing mature tree growth and natural Land Form on the site shall be preserved to the extent feasible; provided, however, that vegetation causing interference with the antenna's performance or inhibiting access to the Equipment Facility may be trimmed.
 - (3) *Existing Vegetation*. Existing vegetation on a WCF site may be used in lieu of required landscaping where approved by the Planning and Zoning Commission.
- (d) Aesthetics, Placement, Materials and Colors. WCF shall be designed so as to be compatible with the existing structures and surroundings to the extent feasible, including placement in a location which is consistent with proper functioning of the WCF, the use of compatible or neutral colors, or stealth technology.
- (e) Lighting and Signage. The following lighting and signage requirements shall apply to all WCF facility installations.
- (1) *Artificial Illumination*. WCF shall not be artificially illuminated, directly or indirectly, except for:
 - a. security and safety lighting of equipment buildings if such lighting is appropriately down shielded to keep light within the boundaries of the site; and
 - b. such illumination of the WCF as may be required by the FAA or other applicable authority installed in a manner to minimize visual impacts on adjacent residences.
 - (2) *Signage*. WCF shall not display any signage, logos, decals, symbols or any messages of a commercial or noncommercial nature, except for a small message containing provider identification and emergency telephone numbers. Such sign shall not exceed 2 square

feet in area.

- (f) Security Fencing. WCF with Support Structures shall be enclosed by a security fence not less than 6 feet in height. Security features may be incorporated into the buffer, landscaping and screening requirements for the site. Nothing herein shall prevent security fencing which is necessary to meet requirements of State or Federal agencies.
- (g) Radio Frequency Emissions The following radio frequency emissions standards shall apply to all WCF facility installations.
 - (1) *RF Impact*. The FTA gives the FCC sole jurisdiction of the regulation of Radio Frequency (RF) emissions, and WCF which meet the FCC standards shall not be conditioned or denied on the basis of RF impact.
 - (2) *FCC Compliance*. In order to provide information to its citizens, copies of ongoing FCC information concerning WCF and RF emission standards may be requested. Applicants for WCF shall be required to provide information with the application on the measurement of the effective radiated power of the facility and how this meets the FCC standards.
 - (3) *Sound Prohibited*. No sound emissions such as alarms, bells, buzzers or the like are permitted.
- (h) Structural Integrity. WCF with Support Structures shall be constructed to the Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision F Standard entitled "Structural Standards for Steel Antennas Towers and Antenna Supporting Structures" (or equivalent), as it may be updated or amended. Each Support Structure shall be capable of structurally and functionally supporting at least three antenna arrays.
- (i) Collocation agreement. All applicants for WCF are required to submit a statement with their application agreeing to allow collocation of other WCF providers. The statement shall include the applicant's policy regarding collocation of other providers and the methodology to be used by the applicant in determining reasonable rates to be charged other providers. The Collocation Agreement shall be considered a condition for issuance of a TUP.

Article 10-5. Review process.

- (a) General. The applicable Development Standards referred to herein are those set forth in Article 10-4 of this Chapter.
- (b) Permitting Procedures. Attached WCF with or without new building construction and WCF with monopole Support Structures that meet the Development Standards may be permitted by Administrative Review except as hereinafter specified. All other WCF with Support Structures, regardless of type, to be sited in or abutting any residential zone shall be subject to the Planning and Zoning Commission review process and may not be approved solely by the Administrative Review process. All WCF applications that do not conform with the Development Standards or are otherwise not eligible for Administrative Review shall be subject to the Planning and Zoning Commission review process.
- (c) WCF As Part of Coordinated Development Approval. WCF as part of a proposed residential or nonresidential subdivision, Planned Unit Development (PUD), site plan, conditional rezoning, or other coordinated development approval shall be reviewed and approved through those processes.
- (d) WCF for Temporary Term. Temporary WCF for a term not to

exceed 90 days are permitted by Administrative Review and, in case of emergency, shall be given expedited review.

Article 10-6. Approval procedures.

- (a) Application Submission. All requests for a Tower Use Permit, regardless of WCF type shall submit an application in accordance with the requirements of this section.
- (1) Application Contents. Each applicant requesting a TUP under this Chapter shall submit a scaled site plan containing a scaled elevation view and other supporting drawings, calculations and other documentation showing the location and dimensions of the WCF and all improvements associated therewith, including information concerning specifications, antenna locations, equipment facility and shelters, landscaping, parking, access, fencing and, if relevant as determined by staff, topography, adjacent uses and existing vegetation. Applicants proposing to collocate on an existing WCF shall include a Radio Frequency Intermodulation Study with their application.
 - (2) Submission Requirements. Application for a TUP shall be submitted to the Code Enforcement Officer on forms prescribed by the Department. The application shall be accompanied by a site plan containing the information described above. If Planning and Zoning Commission review is required, the application and site plan shall be placed on the next available Commission agenda in accordance with the agenda deadlines established by the Department.
 - (3) Application Fees. Each application shall be accompanied by a plan review fee of \$500 and a Radio Frequency Intermodulation Study review fee of \$500 (collocation applications only). These fees shall be used to engage an engineer(s) or other qualified consultant(s) to review the technical aspects of the application and Radio Frequency Intermodulation Study (if required).
 - (4) Technical Assistance. In course of its consideration of an application, the Code Enforcement Officer, the Planning and Zoning Commission or the Board of Directors may deem it necessary to employ an engineer(s) or other consultant(s) qualified in the design and installation of WCF to assist the Code Enforcement Officer, Commission, or Board in the technical aspects of the application. In such cases, any reasonable costs incurred by the City, not to exceed fifteen hundred dollars (\$1,500) for the technical review and recommendation, shall be reimbursed by the applicant prior to the final City hearing on the TUP.
- (b) Administrative Review. The following administrative review process shall apply to all WCF applications eligible for administrative review.
- (1) Review Authority. Review of WCF under this Section shall be conducted by the Code Enforcement Officer or his designee upon the filing of a WCF application.
 - (2) Review Criteria. The Code Enforcement Officer shall review the application for compliance with the Development Standards.
 - (3) Timing of Decision. The Code Enforcement Officer shall render a decision on the WCF application by written response to the applicant within ten (10) business days after receipt of the complete application, except that an extension may be agreed upon by the applicant.
 - (4) Deferral. The Code Enforcement Officer may defer

administrative approval of WCF for any reason. Deferral of administrative approval shall require submission to the Planning and Zoning Commission for review.

- (5) *Application Denial*. If administrative approval is not obtained due to noncompliance with the Development Standards, the applicant may appeal the denial by applying for Planning and Zoning Commission review.
 - (6) *Application Approval*. If the TUP application is in compliance with the Development Standards and otherwise meets the requirements of this section, the Code Enforcement Officer shall issue a Tower Use Permit (TUP).
- (c) Planning and Zoning Commission Review. The following shall apply to all Tower User Permit applications requiring submission to the Planning and Zoning Commission:
- (1) *Review Authority*. The Planning and Zoning Commission shall be the review authority for TUP applications not eligible for Administrative Review or otherwise referred to the Commission.
 - (2) *Notice*. Notice of the application and the public hearing by Planning and Zoning Commission shall be accomplished in the same manner as a conditional use permit under the Land Development Code.
 - (3) *Hearing*. The Planning and Zoning Commission shall review and consider the TUP application at a public hearing. At the hearing, interested persons may appear and offer information in support of or opposition to the proposed application. The Planning and Zoning Commission shall consider the following in reaching a decision.
 - a. *Development Standards Variance*. The TUP application shall be reviewed for compliance with the Development Standards set forth in Article 10-4; provided that the applicable Development Standards may be reduced or waived so long as the approval of the WCF meets the goals and purposes of Article 10-1 hereof. The Planning and Zoning Commission may authorize a variance from the Development Standards by specific inclusion in a motion for approval. No such variance authorized by the Planning and Zoning Commission shall be the basis for subsequent variance requests to the Board of Zoning Adjustment.
 - b. *Tower Siting Conditions*. The Planning and Zoning Commission may impose conditions and restrictions on the application or on the premises benefitted by the TUP as it deems necessary to reduce or minimize any adverse effects and to enhance the compatibility of the WCF with the surrounding property, in accordance with the purposes and intent of this Chapter. The violation of any condition shall be grounds for revocation of the TUP. The Planning and Zoning Commission may impose such conditions in addition to the Development Standards upon the following findings:
 1. The WCF would result in significant adverse visual impact on nearby residences
 2. The conditions are based upon the purpose and goals of this Chapter as set forth in Article 10-1
 3. The conditions are reasonable and capable of being accomplished.

c. Action. Following the public hearing and presentation of all evidence, the Planning and Zoning Commission shall take one of the following actions:

1. approve the application as submitted;
2. approve the application with conditions or modifications;
3. defer the application for additional information or neighborhood input; or
4. deny the application.

(6) *Findings.* All decisions rendered by the Planning and Zoning Commission concerning a Tower Use Permit shall be supported by written findings of fact and conclusions of law based upon substantial evidence in the record.

(7) *Timing of Decision.* The Planning and Zoning Commission shall render its decision within 60 days or less of the final submission of all required application documents and technical evaluations.

(8) *Appeals.* The decision of the Planning and Zoning Commission may be appealed to the Board of Directors of the City under the following circumstances:

- a. Only the applicant and those who registered an objection to the TUP in the record of the Planning and Zoning Commission shall have standing to appeal.
- b. Only such evidence or testimony in support of or opposition to the issuance of the TUP which was provided to the Planning and Zoning Commission may be presented to the Board of Directors unless the Board, by majority vote, decides to hear new information.
- c. Notice of appeal shall be accomplished by the appellant in the same manner as a conditional use permit under the Land Development Code.
- d. Appeal of decisions of the Board of Directors shall be filed in Chancery Court within thirty (30) days of the final decision on the TUP.

Article 10-7. Shared facilities and collocation policy; Facilitating location on public property.

(a) Collocation. All WCF shall be construed to be capable of sharing the facility with other providers, to collocate with other existing WCF and to accommodate the future collocation of other WCF. Applicants proposing a new WCF shall demonstrate that it has made a reasonably good faith attempt to find a collocation site. Competitive conflict and financial burden are not deemed to be adequate reasons against collocation.

(b) Location On Public Property. The City will work with telecommunication providers to facilitate the siting of WCF on suitable City owned or controlled property, by identifying existing facilities, the appropriate contact persons, and the appropriate procedures in accordance with this Chapter.

Article 10-8. Removal of abandoned WCF.

Any WCF that is not operated for a continuous period of twelve (12) months, or such lesser time if the City is so advised by the provider

or landowner, shall be considered abandoned, and the owner of such WCF may be required to remove same within ninety (90) days of notice to the City that the WCF is abandoned. If the WCF is not removed within ninety (90) days, the City may remove it and recover its costs from the owner of the WCF or from the landowner. If there are two or more users of a single WCF, this provision shall not become effective until all providers cease to use the WCF.

Article 10-9. Nonconforming WCF.

WCF in existence on the date of the adoption of this Chapter, which do not comply with the requirements of this Chapter (nonconforming WCF) are subject to the following provisions:

- (a) Expansion. Nonconforming WCF may continue in use for the purpose now used, but may not be expanded without complying with this Chapter, except as further provided in this Section.
- (b) Additions. Nonconforming WCF may add additional antennas (belonging to the same provider or other providers) subject to Administrative Review under Article 10-6 of this Chapter.
- (c) Repairs. Nonconforming WCF which becomes damaged or destroyed due to any reason or cause, may be repaired and restored to its former use, location, and physical dimensions subject to the provisions of this Chapter. Such repairs must be commenced within one year after said damage or destruction, or said WCF shall be deemed abandoned.

Article 10-10. Revocation of Tower Use Permits.

Any Tower Use Permit issued pursuant to this Chapter may be revoked by the Planning and Zoning Commission after a hearing as provided hereinafter. If the Commission finds that any permit holder has violated any provision of this Chapter, or has violated any federal, state, or local law or ordinance, or has failed to make good faith reasonable efforts to provide or seek collocation, the Commission may revoke the Tower Use Permit (TUP) upon such terms or conditions, if any, that the Commission may determine. Prior to initiation of revocation proceedings, the Code Enforcement Officer shall notice the permit holder, in writing, of the specific areas of non-compliance and specify the date by which such deficiencies must be corrected. The time for correction of deficiencies shall not exceed sixty (60) days. The permit holder shall provide the Code Enforcement Officer with evidence that the required corrective action has been taken. Should the permit holder fail to correct any deficiencies in the time required, the Planning and Zoning Commission shall convene a public hearing to consider revocation of the Tower Use Permit. The hearing shall be conducted pursuant to notice by publication in a newspaper with general circulation in the city not less than 10 days prior to the hearing and by written notice to the permit holder. At any such hearing, the permit holder may be represented by an attorney and may cross examine opposing witnesses. Other interested persons may comment. The Planning and Zoning Commission may impose reasonable restrictions with respect to time and procedure and may, but is not required to, provide for stenographic or other recording of the hearing or portions thereof.

Article 10-11. Penalty.

The fine or penalty for violating any provisions of this Chapter shall, upon conviction in the municipal court, not exceed five hundred dollars (\$500.00) for any one specified offense or violation, or double that sum for each repetition of such offence or violation; provided, further, that if a thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof in the violation of this Chapter shall not exceed two hundred fifty dollars (\$250.00) for each day that it may be unlawfully continued.

SECTION 2. The Hope Land Development Code is hereby amended by adding the following sentence:

The provisions of this section shall not apply to Wireless Communication Facility installations and applications which shall be governed by Chapter X hereof.

SECTION 3. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

SECTION 4. This ordinance shall be codified in the Code of Ordinances and the sections may be renumbered or relettered to accomplish such intention.

SECTION 5. This action being necessary to the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED on the 2nd day of November, 1999.

MAYOR

CITY CLERK

ORDINANCE NO. 1332

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO LEVY A TAX OF TWO POINT TWO (2.2) MILLS UPON THE ASSESSED VALUE OF THE REAL AND PERSONAL PROPERTY IN THE CITY OF HOPE, ARKANSAS, FOR THE YEAR 1999, AND FOR OTHER PURPOSES."

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: That a tax of two point two (2.2) mills be, and the same is hereby levied upon, all taxable property, both real and personal, within the City of Hope, Arkansas, for the year 1999 to be collected in 2000.

SECTION 2: All monies collected and raised by said tax shall constitute a general fund to defray the general and ordinary expenses of the said City of Hope, Arkansas.

SECTION 3: The Clerk of the City of Hope, Arkansas, shall certify this levy to the Clerk of Hempstead County, Arkansas, to be placed upon the books and collected at the same time and in the same manner as State and County taxes are collected.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed and this ordinance being necessary for the public health, safety, and general welfare of the inhabitants of the City of Hope, Arkansas, an emergency is hereby declared, and this Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED this 2nd day of November, 1999.

Mayor

City Clerk

ORDINANCE NO. 1333

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO LEVY A TAX OF ONE-HALF (1/2) MILL UPON THE ASSESSED VALUE OF THE REAL AND PERSONAL PROPERTY IN THE CITY OF HOPE, ARKANSAS, FOR THE YEAR 1999, FOR THE PURPOSE OF PAYING PENSIONS TO THE RETIRED FIREMEN AND PENSIONS TO THE WIDOWS AND MINOR CHILDREN OF DECEASED AND RETIRED FIREMEN, AND FOR OTHER PURPOSES."

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: That a tax of one-half (1/2) mill be, and same is hereby levied upon, all taxable property, both real and personal, within the City of Hope, Arkansas, for the year 1999 to be collected in 2000.

Section 2: All monies collected and raised by said tax shall be used only for the purpose of helping to pay pensions to retired firemen, to widows and minor children of deceased firemen, and to widows and minor children of deceased retired firemen, as now provided by the law.

SECTION 3: The Clerk of the City of Hope, Arkansas, shall certify this levy to the Clerk of Hempstead County, Arkansas, to be placed upon the books and collected at the same time and in the same manner as State and County taxes are collected.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed, and this ordinance being necessary for the public, health, safety, and general welfare of the inhabitants of the City of Hope, Arkansas, an emergency is hereby declared, and this Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED this 2nd day of November, 1999.

Mayor

City Clerk

ORDINANCE NO. 1334

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO REZONE CERTAIN PROPERTY
IN THE CITY OF HOPE FROM I-1 TO C-2 ON THE ZONING
MAP OF THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, on the ___ day October, 1999, Sho-Me Venture Real Estate Investment Corporation, a partnership, and John Gilbert Burke, its attorney, filed with the City Clerk for consideration by the Board of Directors with the City of Hope, Arkansas, a Petition praying that those lands hereinafter described be rezoned from "I-1" to "C-2"; and

WHEREAS, said Petition was referred to the City Planning Commission, which caused a hearing to be held after due notice as required by law; and

WHEREAS, the City Planning Commission has recommended that the Petition be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF THE CITY OF HOPE, ARKANSAS:

SECTION I: That the following described property in the City of Hope, County of Hempstead, State of Arkansas, to-wit:

Lot Four (4) in Block One (1) of Galster's Addition to the City of Hope, Arkansas, according to Mrs. G.E. West's Replat of Blocks 1 and 3 of Galster's Addition to Hope, Arkansas, said plat recorded in Miscellaneous Book #3 at Page 117;

is hereby rezoned from "I-1" to "C-2" on the Zoning Map of the City of Hope, Arkansas.

SECTION II: The Zoning Map of the City of Hope, Arkansas, previously adopted is hereby amended to reflect said changes.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: It is ascertained and determined that the property involved should be reclassified immediately for the orderly growth and development of the City of Hope; therefore, this Ordinance being necessary for the peace, safety and welfare of the inhabitants of said City, this Ordinance shall take effect and be in full force from and after the passage and approval hereof.

PASSED AND APPROVED this 7th day of December, 1999.

By: _____
MAYOR

CITY CLERK

ORDINANCE NO. 1335

AN ORDINANCE TO REZONE A PORTION OF THE GALSTER
ADDITION AND THE BOWDEN ADDITION TO THE CITY OF
HOPE, ARKANSAS, AND FOR OTHER PURPOSES.

WHEREAS, after due notice as required by law, the Planning and Zoning Commission of the City of Hope, Arkansas, at the time and place mentioned in the notice, and in a public hearing, heard all persons desiring to be heard on the question; and

WHEREAS, after said hearing, the Planning and Zoning Commission of the City of Hope, Arkansas, voted to recommend that the said rezoning be granted; and

WHEREAS, the Board of Directors of the City of Hope, Arkansas, has determined that a rezoning of said property from the current classification of I-1 to the new classification of C-2 would be appropriate.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION 1: The following described real property in the City of Hope, Arkansas, to-wit:

Lots 10,11,12 and 13, Block 2 of the Galster Replat and Lots 1,2,3,4 and 5 of the Bowden Addition to the City of Hope, Arkansas.

is hereby rezoned from its current zoning classification of I-1 to the new zoning classification of C-2, and the zoning map of the City of Hope, Arkansas, shall be amended to reflect said changes.

SECTION 2: All Ordinances in conflict herewith be, and the same are hereby, repealed

SECTION 3: It being determined by the Board of Directors of the City of Hope, Arkansas, That this ordinance is necessary for the public convenience, health, safety and welfare, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

ADOPTED THIS 7th DAY OF DECEMBER, 1999

MAYOR

CITY CLERK