

JUN 10 1992

ORDINANCE NO. 47

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK.

AN ORDINANCE AMENDING ORDINANCE NO. 31 OF THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS, TO PROVIDE A PENALTY FOR VIOLATION OF SAID ORDINANCE AND PROVIDING FOR THE ENFORCEMENT THEREOF, AND DECLATING AN EMERGENCY.

WHEREAS, on the 8th day of January, 1990, The Town Council of the Incorporated Town of Bethel Heights, Arkansas passed Ordinance No. 31, and

WHEREAS, in a decision by the Honorable Circuit Judge Tom Keith, Section Eight (8) of that Ordinance was held invalid, and

WHEREAS, it is the desire of the Town Council of Bethel Heights, Arkansas to amend Ordinance No. 31 to provide a penalty for the violation of said Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bethel Heights, Arkansas:

SECTION 1: That Section Eight of Ordinance No. 31 shall now read as follows:

"Section 8: PENALTIES. Whoever violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not less than Twenty-Five (\$25.00) Dollars and not more than Two Hundred Fifty Dollars (\$250.00) for each separate offense plus costs".

SECTION 2: That all other sections of Ordinance No. 31 are hereby readopted and re-enacted with no amendments thereto and shall remain in full force and effect.

SECTION 3: SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any court, such decision shall not effect the validity of the remaining portions of this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are herein repealed.

SECTION 5: That because there is no provision for punishment for violation of Ordinance No. 31, this Ordinance is necessary to preserve the public peace, health, safety and welfare of the citizens of Bethel Heights, and because of such an emergency is declared to exist and this Ordinance shall be in full

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force and effect from the time of its passage and approval.

Passed and Approved this 4 day of June, 1992.

APPROVED: *Gary Howard*
MAYOR GARY HOWARD

ATTEST: *Debbie Howard*
CLERK/RECORDER

CERTIFICATION

I, *Debbie Howard*, Town Recorder of the Town of Bethel Heights, Arkansas, hereby certify that this Ordinance was duly passed and approved by a two-thirds vote of the total number of the governing body of the Town of Bethel Heights, Arkansas, this 4 days of June, 1992.

Debbie Howard
TOWN RECORDER/TREASURER
TOWN OF BETHEL HEIGHTS

*City of Bethel Heights
PO Box 222
Springdale, AR
72765*