

ORDINANCE NO. 89

**AN ORDINANCE ADOPTING AND ENACTING A
NEW MUNICIPAL CODE OF ORDINANCES OF
THE TOWN OF BETHEL HEIGHTS,
ARKANSAS, ESTABLISHING THE SAME; PROVIDING
FOR THE REPEAL OF CERTAIN ORDINANCES NOT
INCLUDED THEREIN, EXCEPT AS HEREIN
EXPRESSLY PROVIDED; PROVIDING FOR THE
EFFECTIVE DATE OF SUCH CODE AND A PENALTY
FOR THE VIOLATION THEREOF; AND PROVIDING FOR THE
MANNER OF AMENDING SUCH CODE; AND PROVIDING FOR
THE EFFECTIVE DATE OF THIS ORDINANCE.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE CITY OF BETHEL
HEIGHTS, ARKANSAS:**

Section 1. That the Code of Ordinances is hereby adopted and enacted as the "Bethel Heights Municipal Code". Such code shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the Town Council on or before 12-16-97, to the extent provided in Section 2 hereof.

Section 2. That all provisions of such code shall be in full force and effect from and after the 16th day of DECEMBER '97. All ordinances of a general and permanent nature not included in such code are hereby repealed from and after the 16th day of DECEMBER 1997, except as herein provided. No resolution of the city, not specifically mentioned, is hereby repealed.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any of the following:

- (1) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of such code;
- (2) Any ordinance promising or guaranteeing the payment of money for the city or authorizing the issuance of any bonds of the city or any evidence of the city's indebtedness;
- (3) Any contract or obligation assumed by the city;

- (4) Any ordinance dedicating, naming, establishing, locating, relocating, opening, widening, paving, etc., any street or public way in the city;
- (5) Any appropriation ordinance;
- (6) Any ordinance which, by its own terms, is effective only for a stated or limited time;
- (7) Any ordinance providing for local improvements and assessing taxes therefor;
- (8) Any ordinance dedicating or accepting any subdivision plat; or
- (9) Any ordinance enacted after DECEMBER 16, 1997.

Section 4. That whenever in such code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefor, the violation of any such provision of such code shall be punishable as provided by Section 1:32.01 of such code.

Section 5. That any and all additions and amendments to such code, when passed in such form as to indicate the intention of the Town Council to make the same a part thereof, shall be deemed to be incorporated in such code so that reference to the Bethel Heights Municipal Code shall be understood and intended to include such additions and amendments.

Section 6. That in case of the amendment of any section of such code for which a penalty is not provided, the general penalty as provided in Section 1.32.01 of such code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

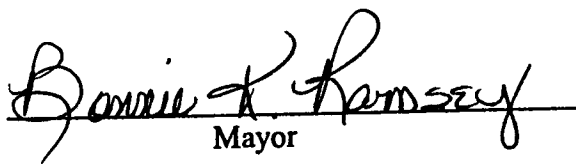
Section 7. That three copies of such code shall be kept on file in the office of the Recorder/Treasurer preserved in looseleaf form or in such other form as the Town Council may consider most expedient. It shall be the express duty of the Recorder/Treasurer, or someone authorized by the Recorder/Treasurer, to insert in their designated places all amendments or ordinances which indicate the intention of the Town Council to make the same a part of such code when the same have been printed or reprinted in page form, and to extract from such code all provisions which may be from time to time repealed by the Town Council. These copies of such code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or amend by additions or deletions any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the Town of Bethel Heights to be misinterpreted thereby. Any person violating this section shall be punished as provided in Section 4 of this ordinance.

Section 9. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

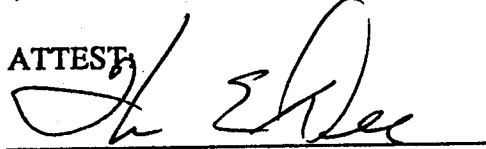
Section 10. It is hereby found that many of the ordinances of the Town of Bethel Heights are not easily accessible to citizens and municipal officials and thereby has rendered it difficult for many persons to determine the actual laws in effect; and that the city has made unusual efforts to have the laws of the Town of Bethel Heights adopted and published. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservations of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

Approved and passed this 16th day of DECEMBER 1997.


Mayor

(SEAL)

ATTEST


Clerk/Treasurer/Recorder