

ORDINANCE NO. VI

TOWN OF GOSHEN, ARKANSAS
ORDINANCE AMENDING ORDINANCE II
ZONING ORDINANCE

WHEREAS, the Town Council deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the Town of Goshen, Arkansas, to amend Ordinance No. II, known as the Zoning Ordinance of the Town Of Goshen, Arkansas.

WHEREAS, the notice of this proposed Ordinance having been posted in five (5) public places within the Town Of Goshen, Arkansas, and the Council having heard from members of the public.

Therefore, be it ordained by the Town council of the Town of Goshen, Arkansas, that Article IV Sec (1) (a) be amended as follows: No building or any improvement upon existing property in excess of One Thousand Dollars (\$1,000.00) shall be erected, moved on to, or altered, without first obtaining a building permit, issued by the Town Clerk. The cost of the building permit is Fifty Dollars (\$50.00).

Therefore, be it ordained by the Town Council of the Town Of Goshen, Arkansas, that Article IV Sec (1) (d) any violation can subject the violator to a fine of up to One Thousand Dollars (\$1,000.00)

Therefore, be it ordained by the Town Council of the Town Of Goshen, Arkansas that Article II Sec. 2 (b) (1)A- Agriculture be


amended as follows: No Mobile Home will be permitted without the prior approval of the Planning Commission of the Town of Goshen, Arkansas.

Therefore be it Ordained that Article II Sec. 2 (a) Permitted Use, be amended as follows: No junk yards, or salvage businesses that sell used auto parts are permitted. No junk or trash that is detrimental to the health and welfare of Goshen residents shall be allowed to accumulate on any premises. If a complaint is received, and a vote by three (3) Council Members, that clean-up of the premises is necessary, a Notice will be served on the property owner. The property owner will have thirty (30) days from the time the Notice is served, to clean up the property, after which time the Town of Goshen may cause the said junk or trash to be removed at the property owner's expense.

Passed and approved this 14th day of July, 1992.


EUEL BOWEN
MAYOR

Attest:


Recorder

ORDINANCE NO. VI

TOWN OF GOSHEN, ARKANSAS

AN ORDINANCE ADOPTING THE BUDGET FOR 1992

WHEREAS, the Town Council of the Town of Goshen, Arkansas proposes to adopt a fiscal budget for the year 1992.

WHEREAS, the notice of this proposed Ordinance having been posted in five (5) public places within the town of Goshen, and the Council having heard from members of the public.

THEREFORE, be it ordained by the Town of Goshen, Arkansas, the attached budget hereby is approved and adopted as the budget for the Town of Goshen for the fiscal year of 1992.

Passed and approved this 12th day of NOVEMBER, 1991.

Euel E Bowen
EUEL BOWEN
MAYOR

ATTEST: Paul A. Warren
RECORDER

CERTIFICATE

I, Paul A. Warren, Recorder in and for the Town of Goshen, Arkansas, do hereby certify that the above and foregoing is a true, perfect and complete copy of an ordinance passed and enacted by the Town Council of the Town of Goshen, Arkansas, at a regular meeting of said Council, which was held on the 12th day of NOVEMBER, 1991, at the Town Hall in said Town, at which meeting a Quorum as provided by law was present and voted thereon.

Witness my hand and seal of said Town, this 12th day of NOVEMBER, 1991.

Paul A. Warren
RECORDER

CITY OF GOSHEN
Proposed Budget
January 1 - December 31, 1992

Beginning Cash Balance:		
General Fund:		
Super Now Account	\$ 87584.43	
Money Market	31563.65	
Petty Cash	<u>25.00</u>	
	119173.08	
Street Fund:		
Money Market	<u>26038.24</u>	
	26038.24	
		\$145211.32
Estimated Income:		
General Fund:		
1% Sales Tax - \$4565.71/ mo.	\$ 54788.52	
State Turnback - \$884.50/ mo.	10134.00	
Interest Earned	<u>2500.00</u>	
	67422.52	
Street Fund:		
State Turnback - \$ 1460.75/ mo.	17529.00	
Interest Earned	<u>575.00</u>	
	18104.00	
Permits:		
	<u>600.00</u>	
	600.00	
Total Estimated Income:		<u>86126.52</u>
Total Funds Available:		<u><u>\$231337.84</u></u>

448.88
244.00
 244.88
1.00
 243.88

Estimated Expenses:

Legal Fees	\$ 1500.00	
Office Supplies (Petty Cash)	100.00	
Building Upkeep & Renovation	10000.00	
Misc. (Municipal League, Bonds)	1500.00	
Mayor's Emergency Fund	2000.00	
Fire Protection Assessment	6946.23	
Ems Protection Assessment	6946.00	
HAZMAT Assessment	500.00	
Road Repairs (Grading, Fill, etc)	<u>6500.00</u>	
		\$ 35992.23

Road Improvement-

General Fund	\$ 91203.37	
Street Fund	<u>41642.24</u>	
		132845.61

Estimated Ending Cash Balance:

General Fund:

Super Now Account	\$ 10000.00	
Money Market Account	10000.00	
Water & Sewage Assessment	<u>40000.00</u>	
	\$ 60000.00	

Street Fund:

Money Market Account	\$ <u>2500.00</u>	
	2500.00	

Total Cash Balance: \$ 62500.00

Total Estimated Expenses: \$231337.84

ORDINANCE NO. 6

AN ORDINANCE GRANTING A FRANCHISE TO HAROLD D. OR LAURA A. LOVETT, ITS SUCCESSORS AND ASSIGNS, TO OWN, OPERATE AND MAINTAIN A COMMUNITY TELEVISION SYSTEM IN THE CITY OF COSHEN, ARKANSAS; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OR FRANCHISE; AND PROVIDING FOR REGULATIONS AND USE OF THE SAID SYSTEM BY SAID CITY.

SECTION 1: Short Title. This Ordinance shall be known and may be cited as the "Cable Television Ordinance".

SECTION 2: Definitions. For the purpose of this Ordinance the following terms, phrases, word and their deriviations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include in the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "City" is the city of Goshen in the State of Arkansas.
- (2) "Company" is the grantee of rights under this Ordinance awarding a franchise and is known as Dave's Cable TV.
- (3) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.
- (4) "System" shall mean the entire installation located in the City of Goshen.

SECTION 3: Grant of Authority. The city, after due consideration, being satisfied as to the Company's legal, technical,

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WASHINGTON COUNTY
A. KOLLMER, CLERK

character, financial and other qualifications, and the adequacy and feasibility of the Company's construction arrangements, hereby grants to the Company, a non-exclusive franchise, right and privilege to construct, erect, operate and maintain in, upon, along, across, above, over, and under the streets, alleys, public ways and public places now laid out or dedicated and all extensions thereof, and additions thereto, in the City, poles, wires, cables, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the City of a Cable Television System for the purpose of distributing television and radio signals and other electronic impulses in order to furnish television and radio programs, and various communications and other electronic services to the public. The right so granted includes the right to use and occupy said streets, alleys, public ways and public places and all manner of easements for the purposes herein set forth.

SECTION 4: Liability and Indemnification. The Company shall pay and by its acceptance of this franchise the Company expressly agrees that it will pay all damages and penalties which the City may legally be required to pay as a result of the Company's negligence in the installation, operation, or maintenance of the Cable Television System Authorized herein. The City shall notify the Company's representative within fifteen (15) days after the presentation of any claim or demand to the City. either by suit

or otherwise, made against the City on account of a negligence or contract as aforesaid on the part of the Company. The Company shall carry and pay the cost of the following liability insurance in support of its undertaking to hold the City harmless from loss sustained by either on account of the negligence of the Company, in at least the amounts indicated below, for injury to or death of persons and injury to or destruction of property:

- (1) \$50,000.00 for property damage to any one person.
- (2) \$100,000.00 for property damage in any one accident.
- (3) \$100,000.00 for personal injury to any one person.
- (4) \$300,000.00 for personal injury in any one accident.

The Company shall comply with all the provisions of the Workman's Compensation Law of the State of Arkansas.

SECTION 5: Local Office: During the term of this franchise, and any renewal thereof, the Company shall maintain within the area a local business office or agent for the purpose of resolving all complaints regarding the quality of service, equipment malfunctions, and similar matters. The Company shall provide the City Clerk's office with the address and phone number of said office or agent which will receive complaints regarding quality of service, equipment malfunctions and similar matters. The local business office or agent shall be open to receive inquiries or complaints from subscribers regarding the quality of service, equipment malfunctions, and similar matters during normal business hours.

SECTION 6: Condition of Road Occupancy.

(1) The Company may enter into one or more contracts with the Light, Gas, Water and Telephone Companies or the owner or lessee of any poles or posts located within the City to whatever extent such contract or contracts may be expedient and of advantage to the Company furnishing the service covered by this Franchise to its customers.

(2) The Company system, poles, wires, and appurtenances shall be located, erected and maintained so that none of it shall endanger or interfere with the lives of persons, or interfere with any improvements the City may deem proper to make, or hinder unnecessarily or obstruct the free use of the streets, alleys, bridges, easements, or public property.

SECTION 7: Payments to the City. The Company shall, during each year of operation under this Franchise, pay to the City, three (3) per cent of the annual gross subscriber revenues to customers located within the city. At the time of this annual payment, the Company shall furnish the City with an annual report showing the Company's annual gross subscriber revenues during the preceding year.

SECTION 8: Franchise Term. The Franchise granted the Company herein shall terminate fifteen (15) years from date of grant. The franchise may be renewed for periods of reasonable duration not to exceed fifteen (15) years per renewal period, on the same terms and conditions as contained herein, or on such different terms or conditions as are consistent with the requirements of Section 76.31 and other Rules of the Federal Communications Commission. Unless

contrary notification be timely received from the City, the Company's application for renewal shall be approved, provided:

- (1) the Company shows that its CABLE service during the preceding franchise period has reflected a good-faith effort to serve the needs and interests of its franchise area, and
- (2) the Company has not demonstrated a callous disregard for the law and all pertinent regulations.

SECTION 9: Franchise Transfer. The Company is also herewith given authority to transfer this franchise and its respective terms, conditions and rights thereto, to its successors, transferees, representatives and assigns.

SECTION 10: Commence of Construction. Upon grant of this Franchise to construct and maintain a community television system in the City of Goshen, Arkansas, the Company may enter into contracts with Light, Gas, Water, and Telephone Companies or others for the use of Poles and posts necessary for proper installation of the system, obtain right of way permits from appropriate State, County and Federal officials necessary to cross highways or roads under their respective jurisdictions to supply main trunk lines from the Company's receiving antennas, obtain permission from the Federal Aviation Authority to erect and maintain antennas suitable to the needs of the system and its subscribers and obtain whatever other permits a County, State or Federal Agency may require. In the construction, installation and maintenance of its system the Company will use steel, cable and electronic devices, all of specialized and

advanced design and type; in the operation of its system the Company will employ personnel with training, skill and experience in electronics and communications. Neither materials nor personnel of this sort will be available to the Company for its system in the event of a war or other similar national emergency.

SECTION 11: Construction Schedule. Within one (1) year from the date the Federal Communications Commission certifies that the Company's plans for cable television operation in and for the City comply with it's Rules and Regulations governing cable television, the Company shall accomplish significant construction of the system; thereafter, it shall reasonably and equitably extend energized trunk cable to twenty (20) per cent of its City Franchise area each year unless additional time is granted by the City Council upon request of the Company for good cause shown.

SECTION 12: Modification of FCC Rules. Consistent with the requirements of Rule 76.31 (a) (6) of the Federal Communications Commission, any modification of Rule 76.31 resulting from amendment thereto by the Federal Communications Commission shall to the extent applicable be considered as a part of this franchise as of the effective date of the amendment made by the FCC and shall be incorporated in such franchise by specific amendments thereto by the lawful action of the City Council within one (1) year from the effective date of the Federal Communications Commission's amendment or at the time of renewal of this franchise, whichever occurs first.

SECTION 13: Activities Prohibited. The Company shall not allow it's cable or other operations to interfere with television reception or persons not served by the Company, nor shall the system interfere with, obstruct or hinder in any manner, the operation of the various utilities serving the residents of the City.

SECTION 14: Limited Purpose. This Franchise is granted by the City Council of Goshen, Arkansas, to the Company purely for the purpose of using easements, streets and highways of the City to erect and construct the Company's system and is not intended to convey any copyrighted or patent privileges whatsoever.

SECTION 15: Separability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION 16: Ordinance Repealed. All ordinances or parts thereof in conflict with the provisions of the Ordinance are hereby repealed.

SECTION 17: BE IT FURTHER ORDAINED that this Ordinance take effect from the date it shall have been passed by the Council, certified and delivered, to the office of the Mayor of Goshen, Arkansas, in writing by the City Clerk, and become effective as otherwise provided by law.

Passed and Approved this 13th Day of March, 1990

Euel E Bower
Mayor of the City Council

Rosey A Stingley
City Clerk

CERTIFICATE

The undersigned, City Clerk of the City of Goshen, Arkansas, hereby certifies that the above and foregoing is a true and correct copy of Ordinance NO Six duly passed and approved by the City Council and the Mayor of the City of Goshen, Arkansas, on 13th day of March, 1990, the same being recorded in Book No. _____ at Page _____.

Rosey A Stingley
City Clerk

ORDINANCE NO VI

A STREET ADDRESSING ORDINANCE ESTABLISHING AN ORDERLY
SYSTEM FOR NAMING STREETS, ADDRESSING PROPERTY AND
INSURING CONTINUITY FOR FUTURE GROWTH

The City of Goshen, Arkansas orders as follows:

SECTION 1. PURPOSE

1.1 This ordinance establishes a system for assigning street names and address numbers which will assist the public and private sector in locating individual streets, buildings and places in an easy and logical manner and for the protection of public health and safety of all persons living, working or visiting in the City of Goshen.

SECTION 2. STREET ADDRESS MAP

2.1 The official street Address Map is a part of this ordinance and shall contain the ordinance numbered and certifications which appear upon this document. The map shall identify all named streets, numbering centerlines and block numbering grids which specify address number ranges. A typical section of land shall be divided into 10 blocks, or grids, North/South and East/West. Each grid interval shall be 528 feet except in non-standard areas identified on the map.

2.2 The official Street Address Map shall be automatically updated upon final plat approval of any plat or large scale development. The map shall include a revision block which lists the date and ordinance number of the latest change.

SECTION 3. CENTERLINES

3.1 The address grid centroid is the intersection of Cemetary Road and Highway 45 (AR 45). The address numbers increase proceeding North, South, East, and West. The North and South address centerline is a line extending East and West from the grid centroid to the city limits. The East and West address centerline East of the centroid is a line extending to the city limits. The East and West address centerline West of the centroid extends West to 2500 feet South-West of the intersection of Sullivan Street and Highway 45 (AR 45). The line then follows Highway 45 (AR 45) to city limits.

SECTION 4. STREET NAMES

4.1 For the purpose of this ordinance the word "street" shall mean all roadways, public and private, open for general public travel. Access drives to apartment and commercial complexes shall not be considered as streets and shall not be named as such.

4.2 Streets running East and West shall be identified with the suffix "avenue" or "boulevard". Streets running North and South shall be identified with the suffix "road" or "street".

4.3 Streets which are also state and federal highways will be identified by their local street name followed by their state or federal designation in parenthesis on the official Street Address Map. For example, W Highway 45 (AR 45).

4.4 Cul-de-sac streets which have only one entrance/exit shall not be called "avenue" or "road" but shall have a suffix name such as "cove, lane, place, or terrace to indicate their dead end nature.

4.5 Loop streets are circular or rectangular plan streets which begin at one point and end at another point along a common street and do not connect to any other streets. The street name suffixes on these streets must not be "road" or "avenue" but shall be "loop, circle, court" or other name indicating a closed street layout.

SECTION 5. ADDRESS NUMBERS

5.1 Address numbers shall be even on the North and East sides of the street and odd on the South and West sides of the street. 100 numbers shall be assigned to each identified grid block with the lowest number beginning at the point nearest the grid centerline. Address numbers shall be determined by the number grid in which the property is located.

5.2 In new residential subdivisions each standard sized lot shall be given a pre-assigned street number by the CITY CLERK upon final plat approval. Address numbers will be assigned to large lots relative to their capacity to be divided into two or more minimum sized lots for the minimum width allowed by the zoning district. Address numbers shall be assigned to lots in the appropriate odd or even numerical sequence relative to their location, such as 201, 203, 205 etc.

5.3 Address numbers for unplatted residential and all other non-residential buildings shall be determined by calculation. The distance from the center of the driveway to the last corner or grid shall be measured to get a location number. The location number is then divided by 5.28 to get the address. If the block number is 1200 and the location number divided by 5.28 is 43, the address is 1243 or 1244 depending upon which side of the street the building is located.

5.4 When street intersections are within 120 feet of a grid line the number series change shall be made at the intersection to be more logical to the public. When a long block faces two blocks divided by a street, the number series on the long block shall change at the intersecting street so that houses facing each other will have compatible addresses.

5.5 Diagonal streets which run 45 degrees or less from a North/South line will be numbered by the North/South grid and those more than 45 degrees from the North/South line will be numbered by the East/West grid. Curving streets will be assigned

numbers based upon the grid of their greatest length. For instance, if the beginning is more South than East of the end then the North/South grid will be used.

5.6 On loop streets and cul-de-sac streets address numbering shall begin at the entrance nearest the grid centerline. Address numbers shall increase or decrease relative to their initial movement from the grid centerline and continue to the opposite end as if the street were in a straight line. Block number changes will be made every 528 feet with odd and even numbers remaining on the same side of the street as they began.

5.7a Apartment buildings on public streets shall be assigned individual addresses. Apartments clustered about a central parking area immediately facing a public street shall also be assigned separate street addresses.

5.7b When apartments are arranged along a private street a sign showing the apartment complex name, with public street address below it, must be posted at the entrance. In these instances each building is lettered A, B, C etc. but a central postal facility for all apartments must be located so it is readily accessible to a mail carrier for the public street serving the complex.

5.7c Each apartment must be identified on the exterior entrance by number or building letter and number for multiple buildings. The numbers shall be in sequence 1, 2, 3 etc. Apartments in lettered buildings shall have the building letter as part of each apartment number, such as B-210. When units are on multiple floors, ground floor numbers shall be in the 100 series (101, 102, 103 ...); second floor in the 200 series (201, 202, 203 ...) etc. If a common hallway is used for several apartments, the external hallway entrance to each apartment shall contain a list of the apartments served. When addressing townhouses and other buildings containing units separately owned, each address shall be placed upon the principal external entryway to the unit.

5.7d The official address for each apartment on a public street shall be the building address followed by the apartment number, such as "329 Fernway Avenue, Apt 8". Addresses for units in apartment buildings not on a public street shall include the public street address and the building number with the apartment designation. The official address for each apartment will be the public street address followed by the building letter, a dash, and the apartment number - such as "329 Fernway Avenue, Apt C-104".

SECTION 6. SIGNS, NUMBERS AND SYSTEM MAINTENANCE

6.1 Public and private street signs shall be installed at the expense of the original developer and thereafter maintained by the Goshen STREET DEPARTMENT.

6.2 Private street signs shall be required. They shall conform to the public street sign standards except shall have a blue background with white letters.

6.2a Only street name signs which are authorized by the Street Department shall be installed within the corporate limits of the City of Goshen. All street name signs, public or private, found not to conform with this ordinance shall be removed by the Street Department.

ment. Non-conforming, damaged or deteriorated public street signs shall be replaced as soon as possible by the Street Department.

6.2b Requests for private street signs on existing streets shall be submitted to the CITY CLERK. The CITY CLERK shall forward authorization to the STREET DEPARTMENT immediately upon completion after which the STREET DEPARTMENT shall have the sign prepared and installed as soon as possible.

6.3 Address numbers shall be assigned by the city and shall be installed by the builder before final inspection and shall be the owners responsibility thereafter.

6.4 Replacement of address numbers is required within 15 days after written notice to the owner by the BUILDING INSPECTOR. New and replacement numbers must be placed so that they will be clearly visible from the street of primary access to the building.

6.5 Address numbers shall be a minimum of 3 inches high with black block letters on a white background and shall be visible from the street. Other colors which have sufficient contrast to be read from the street under normal nighttime conditions may be approved by the BUILDING INSPECTOR. The numbers shall be placed as near as possible to the primary entrance of the building and preferably above the entrance doorway. The location, style, size and color of the required numbers shall be approved by the BUILDING INSPECTOR. Appeals concerning numbers shall be made to the CITY COUNCIL.

SECTION 7. NUMBER ASSIGNMENT, REVIEW AND APPROVAL

7.1 Official records of address numbers shall be maintained by the CITY CLERK. If the BUILDING INSPECTOR's office is the first point of contact regarding new buildings that office shall coordinate with the CITY CLERK to obtain an official address assignment. The CITY COUNCIL shall have the final authority to change any assignment upon an appeal by any affected party.

7.2 All proposed street names and name changes shall be reviewed for continuity with this ordinance by the CITY CLERK who shall recommend alternative names when a proposed name duplicates or is so similar to an existing name that confusion could hamper prompt delivery of emergency services. The PLANNING COMMISSION shall hold a public hearing on street name changes and shall make a recommendation to the CITY COUNCIL. Appeals of street name assignment can be made to the PLANNING COMMISSION. The CITY COUNCIL shall have the final authority to change any assignment upon an appeal by any affected party.

SECTION 8. AMENDMENTS

8.1 On any proposed amendments to these regulations or to the Street Address Map the PLANNING COMMISSION shall hold a public hearing, a notice of which shall be published in a local newspaper of general distribution at least fifteen (15) days prior to the date of the hearing. Following the public hearing, the CITY COUNCIL may adopt the amendment or amendments as recommended by the PLANNING COMMISSION or as determined by a majority vote of the CITY COUNCIL.

SECTION 9. COORDINATION WITH 9-1-1 EMERGENCY SERVICE DATA CENTER

9.1 Following the naming of a new street, the renaming of an existing street, a change of an existing street number or the assignment of a new street number, the City Clerk shall notify the 9-1-1 Emergency Service Data Center on a form provided by the center.

9.2 The 9-1-1 Data Center shall not accept any street name or number change or number assignment which is not on the form provided and signed by the City Clerk.

SECTION 10. PENALTY

10.1 Any person failing to comply with the provisions of this ordinance shall, upon conviction thereof, be fined not less than \$10.00 nor more than \$25.00 plus prosecution costs for each offense.

SECTION 11. REPEALING CLAUSE

11.1 All ordinances or parts of ordinances conflicting with this ordinance are hereby rescinded.

SECTION 12. SEPARABILITY CLAUSE

12.1 If any part of this ordinance is declared by the courts to be invalid or unconstitutional that decision shall not effect the validity of the remaining parts.

SECTION 13. EFFECTIVE DATE

13.1 The CITY COUNCIL of the City of Goshen, Arkansas, assembled in regular session, hereby declares that this ordinance is required immediately to establish a more consistent addressing system that will insure more efficient and expeditious delivery of public and private services and to protect the public health, safety, and welfare.

13.2 Therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from the date of its approval.

PASSED AND APPROVED THIS 12 DAY OF JULY, 1987.

Eul E Bower
MAYOR

ATTEST: Dean Lisdale
CITY CLERK & RECORDER