

ORDINANCE NO. VII
CITY OF GOSHEN, ARKANSAS

AN ORDINANCE ADOPTING THE BUDGET FOR 1993

WHEREAS, the City Council of the City of Goshen, Arkansas proposes to adopt a fiscal budget for the year 1993.

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

THEREFORE, be it ordained by the City of Goshen, Arkansas, the attached budget hereby is approved and adopted as the budget for the City of Goshen for the fiscal year of 1993;

Passed and approved this 12 day of JANUARY, 1993.

EUEL E. BOWEN
MAYOR

ATTEST: Tammy A. Warren

RECORDER

CERTIFICATE

I, PAUL A. WARREN, Recorder in and or the City 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 City Council of the City of Goshen, Arkansas, at a regular meeting of said Council, which was held on the 12 day of JANUARY, 1993, at the Town Hall is said Town, at which meeting a Quorum as provided by law was present and voted thereon.

Witness my hand and seal o said Town, this 12 day of

JANUARY,

1993.

Tammy A. Warren
RECORDER

CITY OF GOSHEN
Proposed Budget
January 1 - December 31, 1993

| | |
|-------------------------|---------------------|
| Beginning Cash Balance: | |
| General Fund: | |
| Super Now Account | \$ 86,780.84 |
| Money Market | 33,239.24 |
| Petty Cash | <u>25.00</u> |
| | \$120,045.08 |
| Street Fund: | |
| Money Market | \$ <u>21,741.12</u> |
| | \$141,786.20 |

| | |
|------------------------------|---------------------|
| Estimated Income: | |
| General Fund: | |
| 1% Sales Tax(\$4,680.83/mo) | \$ 56,169.96 |
| State Turnback(\$902.27/mo) | 10,827.24 |
| Interest Earned | <u>2,300.00</u> |
| | \$ 69,297.20 |
| Street Fund: | |
| State Turnback(\$1522.60/mo) | 18,271.20 |
| Interest Earned | <u>510.00</u> |
| | \$ 18,781.20 |
| Permits: | <u>800.00</u> |
| | \$ <u>88,878.40</u> |
| | \$230,664.60 |

Total Estimated Income:

Total Funds Available:

| | |
|--------------------------------|-----------------|
| Estimated Expenses: | |
| Legal Fees | \$ 1500.00 |
| Office Supplies (Petty Cash) | 500.00 |
| Building Upkeep/Renovation | 5,000.00 |
| Misc. (Municipal League/Bonds) | 1,500.00 |
| Mayor's Emergency Fund | 4,000.00 |
| Fire Protection Assessment | 5,786.87 |
| EMS Protection Assessment | 5,786.87 |
| HAZMAT Assessment | 500.00 |
| Road Repairs (Grading/Fill) | <u>7,000.00</u> |
| | \$ 31,573.74 |

| | |
|---------------------------|---------------------|
| Road Improvement: | |
| General Fund | \$ 80,309.66 |
| Street Fund | <u>16,281.20</u> |
| | 96,590.86 |
| Water & Sewage Assessment | \$ <u>50,000.00</u> |
| | 50,000.00 |

| | |
|--------------------------------|------------------|
| Estimated Ending Cash Balance: | |
| General Fund: | |
| Super Now Account | \$ 30,000.00 |
| Money Market | <u>20,000.00</u> |
| | 50,000.00 |

| | |
|--------------|--------------------|
| Street Fund: | |
| Money Market | \$ <u>2,500.00</u> |
| | 2,500.00 |

Total Estimated Expenses:

\$230,664.60

ORDINANCE NO. VII

CITY OF GOSHEN, ARKANSAS

EXOTIC ANIMAL ORDINANCE

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the City of Goshen, Arkansas, to adopt Ordinance No. VII, known as the Exotic Animal Ordinance of the City Of Goshen, Arkansas.

WHEREAS, the Notice of this Proposed Ordinance, having been posted in five (5) public places within the City Of Goshen, Arkansas, and the Council, having heard from members of the public; Therefore, be it ordained by the City Council of the City of Goshen, Arkansas, that it shall be unlawful to own, possess, or keep any exotic animals within the City limits of the City of Goshen, Arkansas. Exotic animal is further described as any predatory animal, not native to this geographical area. This shall include, but will not be limited to, lions, tigers, apes, leopards, elephants, bears, cheetahs, wildcats, pumas, and panthers.

Therefore, this ordinance does not directly, or by implication, alter any laws of the United States, or of the State of Arkansas, in reference to the protection of certain animals or species.

Therefore, be it ordained by the City Council of the City Of Goshen, Arkansas, that any violation of this Ordinance, can subject the violator to a fine of up to One Thousand Dollars (\$1,000.00).

PASSED AND APPROVED this 13 day of April, 1993.


EUEL BOWEN
MAYOR

Attest:

Recorder



ORDINANCE NO. VII

CITY OF GOSHEN, ARKANSAS

PROPOSED ORDINANCE

EXOTIC ANIMAL ORDINANCE

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the City of Goshen, Arkansas, to adopt Ordinance No. VII, known as the Exotic Animal Ordinance of the City Of Goshen, Arkansas.

WHEREAS, the Notice of this Proposed Ordinance shall be posted in five (5) public places within the City Of Goshen, Arkansas, and the Council shall hold a public meeting for members of the public to be heard.

Therefore, be it ordained by the City Council of the City of Goshen, Arkansas, that it shall be unlawful to own, possess, or keep any exotic animals, within the City limits of the City of Goshen, Arkansas. Exotic animal is further described as any predatory animal, not native to this geographical area. This shall include, but will not be limited to, lions, tigers, apes, leopards, elephants, bears, cheetahs, wildcats, pumas, and panthers.

Therefore, this ordinance does not directly, or by implication, alter any laws of the United States, or of the State of Arkansas, in reference to the protection of certain animals or species.

Therefore, be it ordained by the City Council of the City Of Goshen, Arkansas, that any violation of this Ordinance can subject

PASSED AND APPROVED this 12 day of May, 1993.

Euel E Bowen
EUEL BOWEN
MAYOR

Attest:

Recorder



FILED

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MARILYN EDWARDS
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

ORDINANCE NO. 92- 34

BE IT ENACTED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON, STATE
OF ARKANSAS, TO BE ENTITLED:

AN ORDINANCE REGULATING THE OWNING OR HARBORING OF ANY
VICIOUS ANIMAL, SNAKE, OR EXOTIC SPECIES OR WILD ANIMAL
WHICH MAY ATTACK OR INJURE A PERSON, OR HARASS, WOUND,
OR KILL DOMESTIC ANIMALS AND POULTRY; ESTABLISHING
EXEMPTIONS FROM SUCH AND TO PROVIDE FOR THE PENALTIES FOR
VIOLATION THEREOF AND OTHER MATTERS.

WHEREAS, the problem of vicious animals is a growing
problem in Washington County, Arkansas; and

WHEREAS, the law of the State of Arkansas provides for
civil remedies for any person harmed by a dangerous or vicious
animal; and

WHEREAS, there is a need to provide additional criminal
sanctions against those who own or harbor said animals:

NOW THEREFORE BE IT ORDAINED BY THE QUORUM COURT OF
WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1: DEFINITIONS:

Animal: The word animal pertains to any animal as set out in
Article 1, Definitions.

Animal Owner: Any person having ownership or personal rights
in a dog or other animal, or any person who keeps, in his care,
acts as custodian for, or knowingly permits a dog or other animal
to remain on or about any premises occupied by him.

Vicious Animal: Any animal that inflicts unprovoked bites or
attacks human beings, livestock, or poultry, or any animal
approaching an individual in such a way as to place that individual
in reasonable fear of unprovoked injury or attack whether it occurs
upon streets, sidewalks, and public grounds or private property.
No livestock shall be considered a vicious animal.

Exotic Wild Animals: Any snake or animal of a wild,
ferocious, fierce or dangerous species likely to create harm or
threat of harm in any place other than zoological parks, aquariums,
laboratories, circus or other licensed exhibitory shows; or those
not under the direct supervision of licensed commercial dealers,

State Game and Fish Management Commissioners, Federal Wildlife Services or U.S. Department of Agriculture.

Livestock: Any members of the equine, bovine, ovine, porcine, and ratite species, and confined domesticated hares, rabbits and mink.

Poultry: All domesticated fowl and domesticated game birds which are kept in captivity.

Police Officer: Shall mean any person employed or elected by municipality, county and state whose duty it is to preserve peace or to make arrests or to enforce the law.

Police Work Dog: A dog trained to aid law enforcement officers actually used for police work purposes, for the protection of the public, including the investigation of crime and the apprehension of law violators.

ARTICLE 2: PERMITTING ANIMAL TO GO AT LARGE, IMPOUNDMENT & RESTRAINT.

No animal owner or possessor of any animal covered by this Ordinance may at any time permit the same to be in a situation or place where it can inflict injury or be a threat of danger to any human being.

Any such animal known to have inflicted a biting injury upon one or more persons with injury of sufficient severity to require medical treatment shall be impounded and observed at the owner's expense in a way consistent with Section 3 of the Rabies Control Act. (Ark. Code Ann. §70-19-301-312)

Any police officer who has reasonable grounds to believe that an animal is vicious and uncontrolled, or a threat to human safety may impound such animal at the owner's expense or kill the animal if capture poses too great a danger to the capturing officer. The owner shall have 10 days to pick up said animal and pay the fees accrued therein, or said animal shall become the property of the impounding facility. Furthermore, upon release the owner shall be required to muzzle said animal and/or restrain it in any other manner consistent with Article 3.

ARTICLE 3: INVESTIGATION; RESTRAINT

Upon a complaint that any animal covered under this Ordinance is being harbored, a police officer shall investigate such and may require the keeper or owner of said animal to restrain or dispose of such animal in a reasonable manner consistent with this Ordinance, which shall include chaining, posting of warning signs, enclosures, protective barriers, muzzling and destruction or other measures necessary to abate nuisances, unhealthful or inhumane

conditions. Failure to comply with said measures shall be deemed a violation of this Ordinance, unless a court of law finds that such measures were unreasonable.

ARTICLE 4: DUTY OF INDIVIDUAL TO USE PROTECTIVE MEASURES

Any individual who keeps any animal covered by this Ordinance shall exercise the highest degree of care to protect children and the general public from attack and danger.

Appropriate chaining, posting of warning signs, or maintenance of the animal within enclosures shall meet the standard of care if such practice reasonably precludes the possibility of inadvertent contact and probable injury in all instances where a child or unsuspecting person might be put into unintentional contact with the animal. Under the provisions of this Ordinance, any instance of inadvertent contact, injury or harm shall constitute prima facie evidence of the animal owner's failure to exercise a sufficient degree of protective care.

When public safety requires additional protective measures the animal owner shall provide a protective barrier or other means such as a properly fitted, heavy wire, nylon or leather muzzle which the animal cannot remove, together with a strong, durable chain which the animal cannot break or remove, or, where such is appropriate, a strong cage with a padlock locked in place or a strong high chainlink fence enclosure constructed so that the animal cannot climb, jump over, dig under or escape from the enclosure. If these measures are deemed insufficient then said animal shall be destroyed.

ARTICLE 5: PENALTY AND ENFORCEMENT

Any violation of this Ordinance is deemed a Class A misdemeanor. Each day that a violation exists shall be considered a separate offense. Furthermore, the County Judge or any individual may institute a civil action to compel compliance with this Ordinance and seek injunctive relief, damages, or other civil sanctions including the award of attorney fees and costs.

ARTICLE 6: INVESTIGATION; IMPOUNDMENT

A police officer may order an owner to keep any animal covered by this Ordinance restrained or impounded pending investigation that such animal has attacked human beings or has harassed, wounded or killed livestock or poultry.

ARTICLE 7: COMPLAINTS, INVESTIGATION, CORRECTIVE MEASURES

If any person or groups of persons has knowledge or reasonable grounds to suspect that animal owners are maintaining dogs or other animals in such a manner as to constitute a nuisance by reason of unhealthful conditions, or maltreatment, they shall have the right to complain to local law enforcement agencies or health officials

and such authorities shall investigate the complaint. Such officials shall have full authority to examine complainant and other witnesses for relevant testimony and to prescribe and counsel corrective measures consistent with Article 3 to the animal owner. If, after a period of 10 days, the owner/keeper fails to comply with the corrective measures ordered by health or government officials then such shall be deemed a violation of this Ordinance, unless a court of law finds that such measures were unreasonable.

ARTICLE 8: ABANDONMENT OR DUMPING

This Ordinance also prohibits and makes it illegal for any person to dump or abandon any animal and such shall constitute a violation of this ordinance.

ARTICLE 9: REGISTRATION

Any person who owns or keeps 6 or more dogs, over 6 months in age, shall register with the Sheriff on forms to be provided by the Sheriff which shall include the breed of dogs owned or kept. However, this Section shall not apply if said dogs are hunting dogs licensed as such.

ARTICLE 10: INCORPORATION OF STATE LAW

The provisions of the Rabies Control Act, ACA §20-19-301-312 and those statutes regarding Cruelty to Animals, ACA §5-62-101-Ordinance. are incorporated by reference herein and made a part of this Ordinance.

ARTICLE 11: COSTS

In the event a law enforcement agency, health official or authorized personnel of the Humane Society of the Ozarks are required or requested to investigate a violation of this Ordinance and said complaint is substantiated then the reasonable cost of the investigation of such shall be assessed against the owner or possessor of the animal by the Court. Furthermore, if at any time it becomes necessary to impound or destroy an animal pursuant to this ordinance, then the cost of such shall be paid by the owner or possessor of said animal, and failure to do so shall constitute a violation of this ordinance.

ARTICLE 12: PROOF OF COMPLIANCE WITH RABIES CONTROL ACT

Any police officer investigating a violation of this ordinance shall demand proof of compliance with the Rabies Control Act and failure to produce such shall be deemed a violation of this ordinance.

ARTICLE 13: EXEMPTIONS

Nothing in this Ordinance shall apply in any manner whatsoever to the official use of police work dogs trained to aid law enforcement officers, if such dogs are being actively used for

police work purposes, protection of the public, investigation of crime, and apprehension of law violators.

Nothing in this Ordinance precludes a dog from "protecting his owner" -- or any other person for whom he feels loyalty -- from physical attack. It is acknowledged that even a dog may defend against injury or battery. This Ordinance does not apply when an individual trespasses on an animal owner's property. However, each dog or other animal on an animal owner's property. However, that no harm results to an innocent trespasser, such as children, misguided pedestrians, invitees, tradespeople, servants, business associates, social guests and friends. It is further acknowledged pursuant to Act 393 of 1987 that any person engaged in raising or owning domesticated animals has the right to protect said animals from dogs, including the killing of such dogs, if necessary.

All political subdivisions and municipalities which have already enacted Ordinances designed to protect citizens from attack or injury inflicted by vicious or exotic wild animals shall be exempt from the application of this Ordinance.

ARTICLE 14: NO ENCROACHMENT ON OTHER OFFICIAL DUTIES.

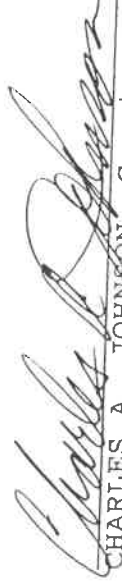

Nothing in this Ordinance shall encroach upon the official duties or activities of the State Game and Fish Commission, the Federal Fish and Wildlife Service, the U.S. Department of Agriculture, circuses, Zoological Parks, or Aquariums, or other licensed exhibitory shows provided all exercise an adequate degree of care.

ARTICLE 15: REPEAL.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

ARTICLE 16: SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.


CHARLES A. JOHNSON, County Judge

MARILYN EDWARDS, County Clerk

10/15/92
DATE

Sponsor: Carl Koffler
Date of Passage: 10-8-92
Votes For: 11 Votes Against: 0

ORDINANCE NO. VII

CITY OF GOSHEN, ARKANSAS

AN ORDINANCE AMENDING ORDINANCE II

ZONING ORDINANCE

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

WHEREAS, the Notice of this proposed Ordinance having been posted in five (5) public places within the City of Goshen, Arkansas, and the Council having heard from members of the public, therefore, be it ordained by the City Council of the City of Goshen, Arkansas, that Article IV, Sec (1) (a) be amended as follows: When mobile home subdivisions are being developed, the following regulations are in addition to their requirements of this Ordinance. Where lesser requirements are stated for mobile home subdivisions, they shall govern in mobile home subdivision developmments.

Unlawful Location Of Mobile Homes Or Manufactured Homes

- a. It shall be unlawful to allow any mobile home or manufactured home to be placed on a lot outside of a mobile home subdivision, unless all local, state, and federal requirements for a stick built home are met.
- b. Not more than one (1) mobile home may be placed on a standard residential lot in a mobile home subdivision.

Location And Drainage

a. The mobile home subdivision shall be located on a well-drained site, and shall be so located that it's drainage will not endanger any water supply. The subdivision shall also be free of marshes, swamps, or other potential breeding places for insects and rodents.

Sewage Disposal

a. Sewer Septic systems, sewer lines, and connections shall be constructed in accordance with plans approved in writing by the Arkansas State Health Department.

b. Each mobile home lot will have it's own septic system, and no two trailers shall be connected to the same septic system.

Electrical Service

a. All Electrical Service lines to the mobile home lots shall comply with applicable local and state electrical codes and ordinances.

Fuel Source

a. All mobile home lots shall be supplied individually with an approved electrical or gas source.

Fire Protection

a. The mobile home subdivision shall be subject to the rules and regulations of the Goshen Fire Department Prevention Authority.

Streets and Parking

a. The minimum street right-of-way in a mobile home subdivision shall be forty (40) feet. The minimum paving width shall be twenty-six (26) feet from back to back curbing. Streets

shall provide for continuous forward movement, shall connect to a public street or highway, and shall be hard surfaced and constructed in accordance with the City's street standards.

b. A Minimum of two off-street parking spaces, at least nine (9) feet by eighteen (18) feet each, shall be provided on each mobile home lot.

Building Permits And Certifications

a. The owner of a mobile home or manufactured home must submit an approved building permit for the home, before it can be registered. The owner must supply the necessary information to the Building Inspector and the home installation must be inspected and approved, before a building permit can be issued and occupancy permitted.

b. Each mobile home or manufactured home in a mobile home subdivision shall be registered with the City of Goshen. The register shall be maintained by the City Clerk/Recorder/Treasurer and shall contain the following:

1. The subdivision lot number.
2. The manufacturer, date of manufacture, model and licensing number of the home, including all federal certifications.
3. The date of original installation of the home on the lot.
4. The name and address of the current owner and occupant.
5. The name and address of the original owner if different from occupant.

6. In the event of transfer of ownership, the new owner must register ownership with the City of Goshen within thirty (30) days of purchase.

Plat Requirements

a. The following shall be included in all mobile home subdivision plats:

1. Location and width of all roadway paving and sidewalks.
2. Location and dimensions of all on-site parking spaces, and pre-constructed mobile home foundations.

Bulk And Area Requirements

a. The total area of a mobile home subdivision shall be no smaller than five (5) acres and large enough to accommodate:

1. The designated number of mobile or manufactured homes.
2. Necessary streets and roadways.
3. Parking areas for motor vehicles.

b. Minimum lot area and yard requirements are as follows:

| Lot Area (sq.ft) | Lot Width | Front Setback* | Side Yard | Side Yard on street | Rear Yard |
|---------------------|--------------|-------------------|--------------|---------------------------|--------------|
| 6,000' | 60' | 20' | 7' | 15' | 25' |

*measured from street right-of-way. All other yards measured from property line.

Enforcement

After the effective date of these subdivision regulations:

- a. No Plat within the planning area of the City of Goshen shall be accepted by the County Recorder for record, unless

approved by the City Council.

Passed and Approved this 12 day of April, 1994.

Euel E Bowen
EUEL BOWEN
MAYOR

Attest:

Ruford M. Connor
Recorder

PROPOSED ORDINANCE NO. VII

CITY OF GOSHEN, ARKANSAS
ORDINANCE AMENDING ORDINANCE II
ZONING ORDINANCE

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

WHEREAS, the notice of this proposed Ordinance having been posted in five (5) public places within the City Of Goshen, Arkansas, and the Council having heard from members of the public; THEREFORE, be it ordained by the City Council of the City Of Goshen, Arkansas, that Article II, Sec. 2 (b) (1)A- Agriculture be amended as follows: No previously owned house, dwelling, or structure will be permitted to be moved upon or relocated upon any lot or acreage in the City of Goshen, Arkansas,

Passed and approved this 12 day of July,
1994.

Attest:


Recorder


EUEL BOWEN
MAYOR