

# ORDINANCE 2020- 1

## ORDINANCE REGARDING PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF WATER SUPPLY WELL

AN ORDINANCE REGARDING THE PROCUREMENT OF PROFESSIONAL SERVICES FOR THE PURCHASE AND INSTALLATION OF A WATER SUPPLY WELL AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Caraway, Arkansas (the "City"), has the power pursuant to Arkansas Code Annotated 14-54-702 to provide a supply of water by constructing or acquiring, by purchase or otherwise, wells, pumps, cisterns, reservoirs, or other waterworks and to regulate them; and

WHEREAS, the City of Caraway, Arkansas, desires to procure professional services for the development of a water supply well,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Caraway, Arkansas:

That the City of Caraway, Arkansas, hereby agrees to hire Friday Eldredge & Clark LLP as bond counsel for the development of the water supply well.

That the City of Caraway, Arkansas, hereby agrees to hire Bond Consulting Engineering East, Inc. as the engineering firm for the development of the water supply well.

It is hereby found and determined that the procurement of a new water supply well is necessary for the proper restoration, maintenance, and repair of the water system for the City of Caraway and for providing services to the residents and businesses of the City of Caraway.

IT IS THEREFORE DECLARED that an emergency exists and this Ordinance being necessary for the immediate restoration and preservation of the water system and public peace, health and safety shall take effect and be in force from and after its passage.

PASSED AND APPROVED THIS 12 DAY OF March, 2020.

  
\_\_\_\_\_  
Mayor - Bo James

Attest:

  
\_\_\_\_\_  
CLERK/RECORDER - Rick Stevens

(SEAL)

CERTIFICATE

The undersigned, Rick Stevens, Clerk/Recorder for the City of Caraway, Arkansas, hereby certifies that the foregoing 2 pages (including any attachment hereto) are a true and perfect copy of Ordinance No. 2020-\_\_\_\_\_, adopted at a regular session of the City Council of the City of Caraway, Arkansas, held at the regular meeting place in said city at \_\_\_\_\_ o'clock \_\_\_\_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and that the ordinance is now of record in the official records of the city maintained in my office.

GIVEN under my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clerk/Recorder

(SEAL)

ORDINANCE NO. 2020- 2

**THE CITY OF CARAWAY  
ORDINANCE OF THE CITY COUNCIL**

**AN ORDINANCE INCREASING RATES CHARGED FOR SERVICES  
RENDERED BY THE WATER SYSTEM OF THE CITY OF CARAWAY,  
ARKANSAS, AND OTHER MATTERS RELATING THERETO.**

WHEREAS, it is determined by the City Council of the City of Caraway, Arkansas that additional revenues are necessary in order to restore, improve and maintain the present water system (hereafter referred to as "the System"), and, retirement of debts;

WHEREAS, the Present rates does not provide sufficient income to meet the obligations of this municipality with regard to its water system;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE INCORPORATED CITY OF CARAWAY, ARKANSAS:

The amount paid by each user of the System shall be determined each month by water meter measurement and calculated on the following basis:

A minimum of \$7.50 shall be charged for the first One Thousand (1,000) gallons of water, and after One Thousand (1,000) gallons all water shall be \$7.00 per One Thousand (1,000) gallons.

It is hereby found and determined that the immediate establishment of new water rates is necessary for the proper restoration, maintenance, and repair of the water system for the City of Caraway and for providing services to the residents and businesses of the City of Caraway.

IT IS THEREFORE DECLARED that an emergency exists and this Ordinance being necessary for the immediate restoration and preservation of the water system and public peace, health and safety shall take effect and be in force from and after its passage.

PASSED AND APPROVED THIS 12 DAY OF March, 2020.

*Mayor - Bo James*  
\_\_\_\_\_  
Mayor - Bo James

Attest:

*Rick Stevens*  
\_\_\_\_\_  
CLERK/RECORDER - Rick Stevens

(SEAL)

CERTIFICATE

The undersigned, Rick Stevens, Clerk/Recorder for the City of Caraway, Arkansas, hereby certifies that the foregoing 2 pages (including any attachment hereto) are a true and perfect copy of Ordinance No. 2020-2, adopted at a regular session of the City Council of the City of Caraway, Arkansas, held at the regular meeting place in said city at 6 o'clock P.m., on the 12<sup>th</sup> day of MARCH, 2020, and that the ordinance is now of record in the official records of the city maintained in my office.

GIVEN under my hand and seal on this 12<sup>th</sup> day of MARCH, 2020.

  
\_\_\_\_\_  
Clerk/Recorder

(SEAL)

# AMENDED ORDINANCE 2020-03

## AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE LOCATION AND SAFETY OF MANUFACTURED HOMES AND MOBILE HOMES WITHIN THE CITY LIMITS OF THE CITY OF CARAWAY, ARKANSAS

WHEREAS, the location of manufactured homes with the city limits of the City of Caraway, Arkansas, could adversely affect other residents in close proximity to manufactured homes; and

WHEREAS, it would be detrimental to the public health, welfare, and safety of those residing within the boundaries of this city if restrictions were not placed on manufactured homes to ensure the safety of the citizens; and

WHEREAS, adopting this ordinance would serve a beneficial purpose for all residents, and it would be serving the public good;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Caraway, Arkansas:

Chapter 15.08 of the Code for the City of Caraway, Arkansas is hereby amended to read as follows:

### CHAPTER 15.08

#### MANUFACTURED HOMES

Sections:

- 15.08.01 Definition
- 15.08.02 Use
- 15.08.03 Restrictions
- 15.08.04 Requirements
- 15.08.05 Parking
- 15.08.06 Utilities
- 15.08.07 Set-back requirements
- 15.08.08 Two dwellings
- 15.08.09 Permit
- 15.08.10 Penalty

15.08.01 Definition Manufactured home is defined as a detached single-family dwelling unit, fabricated, in an off-site manufacturing facility for installation or assembly at the building site and as a permanent structure built in compliance with federal manufactured housing construction and safety standard codes. A mobile home is defined as a moveable or portable structure which is larger than 300 square feet and designed to be used as a year-round residential

dwelling unit. For purposes of this ordinance mobile homes shall include recreational vehicles (commonly called RVs or campers). A recreational vehicle is defined as a vehicle: (1) Built on a single chassis; (2) 400 Square feet or less when measured at the largest horizontal projections; (3) Self-propelled or permanently towable by a light duty truck; and (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use

15.08.02 Use Manufactured homes and mobile homes may be placed on property only for residential purposes.

15.08.03 Restrictions A manufactured home or mobile home which is to be placed in the city of Caraway, Arkansas, must be placed upon piers or perimeter foundation constructed according to city codes. All manufactured homes or mobile homes shall have a standard quality of matching underpinning installed around its base for aesthetic and safety reasons and its external appearance shall be maintained, including underpinning around the tongue. All entrances and exits must be supplied with steps. The manufactured homes Or mobile home shall be permanently anchored to the ground.

15.08.04 Requirements All single family dwellings and manufactured homes shall be oriented such that the front door of the structure faces the street from which the property is accessed, shall be constructed with a type of siding that is consistent with other homes in the general vicinity, shall have any transportation elements including axles and hitches removed from the structure, shall be set up and anchored in accordance with regulation set forth by the Arkansas Manufactured Home Commission, if applicable, shall have a solid masonry or concrete perimeter foundation around the base of the perimeter of the structure, and shall be the principal structure on the lot. All dwellings moved into the city shall be new and under warranty or inspected by the building inspector prior to being moved on site to ensure the dwelling will be inhabitable in a safe manner. All manufactured homes shall have safe entries and exits including stairs if necessary at all doorways to the home.

15.08.05 Parking All manufactured homes or mobile homes shall have at least one (1) on site, all-weather, off-street, parking space.

15.08.06 Utilities Each manufactured home or mobile home shall be equipped with connections to all public utilities required by the city for one-family residences, with all hookups and connections to conform to all city and state codes.

15.08.07 Set-back requirements All manufactured homes and mobile homes shall comply with the following set-back requirements:

- (a) Front yard: a minimum of 25 feet from the front of the property line or 50 feet back from the center line of the existing right-of-way, whichever is greater.
- (b) Side yard: a minimum of 12 feet from each property line.
- (c) Back yard: a minimum of 15 feet from each property line.

15.08.08 Two dwellings No manufactured home or mobile home may be placed on any lot within the city of Caraway, Arkansas that already has a dwelling, improvement, or other manufactured home or mobile home located thereon.

15.08.09 Permit Any person placing a manufactured home or mobile home within the City of Caraway, Arkansas, must apply for a permit. The cost of the permit shall be set by the city council. The permit application shall be submitted with a plat and drawing showing the proposed location of the manufactured home or mobile home within the city of Caraway on a

particular lot, with respect to the boundary lines of the lot. Also a copy of the property deed must accompany the drawing before any city services shall be provided. If the application meets all the requirements as set forth in the ordinances of the City of Caraway, Arkansas, statutes of the State of Arkansas, and federal regulations then the permit shall be issued.

15.08.10 Penalty The person who receives written notification from the city of Caraway, Arkansas that he/she is in violation of the provisions of this ordinance shall have 72 hours following receipt of the notice in which to comply with this ordinance. If he/she fails to comply with the ordinance within the time specified, then he/she shall be subject to a fine of one hundred dollars (\$100.00) per day for so long as he or she remains in violation.

IT IS THEREFORE DECLARED that an emergency exists and this Amended Ordinance being necessary for the immediate restoration and preservation of the health and safety of the citizen of the City of Caraway shall take effect and be in force from and after its passage.

PASSED AND APPROVED THIS 13<sup>th</sup> DAY OF AUGUST, 2020.

Mayor Bo James  
Mayor - Bo James

Attest:

Rick Stevens  
CLERK/RECORDER - Rick Stevens

(SEAL)

CERTIFICATE

The undersigned, Rick Stevens, Clerk/Recorder for the City of Caraway, Arkansas, hereby certifies that the foregoing 2 pages (including any attachment hereto) are a true and perfect copy of Amended Ordinance No. 2020-03, adopted at a regular session of the City Council of the City of Caraway, Arkansas, held at the regular meeting place in said city at 6 o'clock P.m., on the 13<sup>th</sup> day of AUGUST, 2020, and that the ordinance is now of record in the official records of the city maintained in my office.

GIVEN under my hand and seal on this 13<sup>th</sup> day of AUGUST, 2020.

Rick Stevens  
Clerk/Recorder

(SEAL)

EXCERPTS FROM THE MINUTES OF A MEETING OF  
THE CITY OF CARAWAY, ARKANSAS CITY COUNCIL  
HELD SEPTEMBER 10, 2020

The City Council of the City of Caraway, Arkansas met in regular session at 6:00 o'clock p.m., on the 10th day of September, 2020. The following were present: Mayor Bo James; City Recorder Rick Stevens; and Council Members Roger Williams, Diana Powell, Mitchell Tipton, Jerry Manton, Marvin Browning.  
Absent: JORANN ANLOCK

The Mayor announced that this was the date and time established for a public hearing on the confirmation of water and sewer rates and on the proposed water and sewer revenue bond. The meeting was then opened for a hearing of all persons desiring to present comments, suggestions or objections to the proposed rates or bond. After hearing all those desiring to be heard, the Mayor declared the public hearing closed.

The Mayor then announced that consideration should be given to an ordinance designating places for the posting of ordinances. This was a matter with which the Council was familiar and after a discussion, an Ordinance entitled:

"AN ORDINANCE DESIGNATING PLACES FOR THE POSTING OF ORDINANCES; PRESCRIBING OTHER MATTERS RELATED THERETO; AND DECLARING AN EMERGENCY"

was introduced.

Council Member Browning, seconded by Council Member Williams, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its first reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.



Council Member Tipton, seconded by Council Member Williams, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its second reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Williams, seconded by Council Member Powell, then moved that the rule requiring the reading of an ordinance in full on three different days be further suspended and that the Ordinance be placed on its third reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Williams seconded by Council Member Manton, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Council Member Manton, seconded by Council Member Browning, moved that Section 4, the emergency clause, be adopted and on roll call, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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The Mayor thereupon declared the Ordinance and the emergency clause adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The Ordinance was given No. 2020-4.

The Mayor then announced that consideration should be given by the Council to an ordinance establishing the time within which ordinances of the City might be subject to referendum. An Ordinance entitled:

"AN ORDINANCE FIXING THE PERIOD WITHIN WHICH REFERENDUM PETITIONS MAY BE FILED; PRESCRIBING OTHER MATTERS RELATED THERETO; AND DECLARING AN EMERGENCY"

was then introduced.

Council Member Manton, seconded by Council Member Tipton, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its first reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Williams, seconded by Council Member Powell, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its second reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Tipton, seconded by Council Member Williams, then moved that the rule requiring the reading of an ordinance in full on three different days be further suspended and that the Ordinance be placed on its third reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Browning seconded by Council Member Manton, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Manton, Browning

and the following voted nay:

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Council Member Williams, seconded by Council Member Powell, moved that Section 7, the emergency clause, be adopted and on roll call, the following voted aye:

Williams, Powell, Tipton  
Morton, Browning

and the following voted nay:

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The Mayor thereupon declared the Ordinance and the emergency clause adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The Ordinance was given No. 2020-5.

The Mayor then announced that consideration should be given to an ordinance confirming water and sewer rates. This was a matter with which the Council was familiar and after a discussion, an Ordinance entitled:

"AN ORDINANCE CONFIRMING RATES FOR SERVICES RENDERED BY THE WATER AND SEWER SYSTEM OF THE CITY OF CARAWAY, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO"

was introduced.

Council Member Tipton, seconded by Council Member Browning, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its first reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Morton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Morton, seconded by Council Member Williams, moved that the rule requiring the reading of an ordinance in full on three different days be

suspended and that the Ordinance be placed on its second reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Martin, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Browning, seconded by Council Member Tipton, then moved that the rule requiring the reading of an ordinance in full on three different days be further suspended and that the Ordinance be placed on its third reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Martin, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Williams seconded by Council Member Powell, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Martin, Browning

and the following voted nay:

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The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The Ordinance was given No. 2020-6.

The Mayor then announced that consideration should be given to an ordinance authorizing the issuance of a water and sewer revenue bond. This was a matter with which the Council was familiar, and after a discussion, an Ordinance entitled:

"AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF BETTERMENTS AND IMPROVEMENTS TO THE WATER FACILITIES OF THE CITY OF CARAWAY, ARKANSAS; AUTHORIZING THE ISSUANCE OF A WATER AND SEWER REVENUE BOND FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF CONSTRUCTION; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BOND; AND PRESCRIBING OTHER MATTERS RELATING THERETO"

was introduced.

Council Member Morton, seconded by Council Member Browning, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its first reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Morton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Williams, seconded by Council Member Tipton, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its second reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton,  
Morton, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Martin, seconded by Council Member Browning, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its third reading by title only. The Mayor put the question on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Martin, Browning

and the following voted nay:

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Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only.

Council Member Williams, seconded by Council Member Martin, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being called, the following voted aye:

Williams, Powell, Tipton  
Martin, Browning

and the following voted nay:

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The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The Ordinance was given No. 2020-7.

(Matters not relating to the public hearing, the Posting Ordinance, the Referendum Ordinance, the Rate Ordinance and the Bond Ordinance are omitted.)

There being no further business, the Council adjourned.

ATTEST:

  
\_\_\_\_\_  
City Recorder

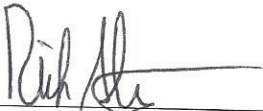
  
\_\_\_\_\_  
Mayor

(SEAL)



CERTIFICATE

The undersigned, City Recorder of Caraway, Arkansas hereby certifies that the foregoing pages are a true and correct copy of excerpts of the minutes of a meeting of the City Council of the City of Caraway, Arkansas, at a regular session held at the regular meeting place of the Council in the City at 6:00 o'clock p.m., on the 10th day of September, 2020, and the time and place of the meeting was furnished in accordance with the provisions of Title 25, Chapter 19 of the Arkansas Code of 1987 Annotated.

  
\_\_\_\_\_  
City Recorder

(SEAL)