

**ORDINANCE NO. 04-2013**

**CITY OF DIAMOND CITY, BOONE COUNTY, ARKANSAS  
AN ORDINANCE TO AMEND AND RESTATE ORDINANCE NO. 50 OF THE CITY OF  
DIAMOND CITY, ARKANSAS AND TO AMEND THE SUBDIVISION  
REGULATIONS**

**WHEREAS**, on or about June 6, 1972, the City Council of the City of Diamond City, Arkansas adopted ordinance No. 50 adopting the Subdivision Regulations for the City of Diamond City, Arkansas; and

**WHEREAS**, the Diamond City Planning and Zoning Commission held a public hearing on September 19, 2013, to hear all persons desiring to be heard regarding this proposed Ordinance to Amend and Restate the Subdivision Regulations, and after thorough consideration of comments and views expressed by all interested persons who were present; and

**WHEREAS**, the City Council, after thorough consideration and being well advised, desires to approve and adopt said ordinance to Amend and Restate Ordinance No. 50 to further Amend and Restate the Subdivision Regulations of the City of Diamond City;

**NOW, THEREFORE, BE IT ENACTED**, by the City Council of the City of Diamond City, the Following:

**SECTION 1 – AMENDMENT TO ORDINANCE 50.** Chapters III. V. and VI. of the Subdivision Regulations is amended and restated in its entirety as follows:

CHAPTER III. SECTION 3, PARAGRAPH 2: Actions by Planning Commission. Within 15 days or at a time negotiated by the developer with the Chairman of the Commission or his designee, the Planning Commission shall indicate its approval, disapproval, or conditional approval of the plat. The reasons of disapproval shall be stated in writing.

CHAPTER V. SECTION 5. PARAGRAPH 2: Lot Dimensions. Lot dimensions shall conform to the requirements of the Zoning Regulations. Where no zoning ordinance is in effect (i.e. within the planning area outside the corporate limits) the lot shall be not less than 65 feet wide at the building setback line nor less than 6500 square feet in area.

CHAPTER V. SECTION 5. PARAGRAPH 2: Remove subparagraphs a. and b. in their entirety.

CHAPER VI. SECTION 2. PARAGRAPH 1: Water Distribution System. Each lot in the subdivision shall be served with an adequate supply of water through a minimum of a four (4) inch water line from the public water system.

CHAPTER VI. SECTION 2, PARAGRAPH 2: Sanitary Sewer System. Each lot in the subdivision shall be provided with a sanitary sewer service connected to the public system.

CHAPTER VI. SECTION 2. PARAGRAPH 3: Remove this paragraph in its entirety.

**SECTION 2 – ADOPTION OF REGULATIONS.** Three copies of this Ordinance and Subdivision Regulations shall be filed for use and examination by the public in the office of the Recorder/Treasurer.

**SECTION 3 – EFFECT AND SEVERABILITY.** In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

PASSED AND APPROVED THIS 23rd day of October 2013

APPROVED:

  
Shari L. Marshall, Mayor

ATTEST:

  
Cheryl Guthrie, City Recorder