

ORDINANCE NO. 2022-U

AN ORDINANCE TO AMEND THE ANIMAL CONTROL ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Animal Control Amendment of 2022.

Section Two: Definitions Amended. Section 6.04.02 of the Prairie Grove Municipal Code is amended to read as follows:

6.04.02 Definitions.

**Abandon** shall mean to leave an animal in a place with the intention of not returning to resume ownership, or to fail or refuse to provide food, water, shelter or care for an animal for a period of time that poses a risk to the animal's health and safety. Keeping animals at a location not regularly and routinely inhabited by humans shall be considered abandonment.

**Animal** shall mean any dog or cat.

**Appropriate bedding** shall mean material upon which the animal may lay down, which is reasonably clean, dry and free of parasites.

**Appropriate care and maintenance** shall mean such cleaning, grooming or veterinarian treatment as may be reasonably required to ensure the health and safety of the animal depending on the age, breed and physical condition of the animal.

**Appropriate shelter** shall mean shelter for an animal that is reasonably designed and constructed to provide the animal sanctuary from the weather, considering the animal's age, breed and size.

**At Large** shall be construed to mean off the premises of the owner and not under the control of the owner or other responsible person, either by leash, cord, chain or otherwise.

**Neutered**, for purposes of this Ordinance, shall mean a sterilized animal and shall include spayed or neutered animals.

**Stray** shall mean off the premises of the owner and not under the control or supervision of the owner or other responsible person, and without leash, collar,

cord, chain, or other such control device. The term "stray" shall not apply to animals which have had an identification or microchip installed, or animals which are readily identifiable as belonging to a known owner.

Section Three: Confinement of Dogs Amended. Section 6.04.07 of the

Prairie Grove Municipal Code is amended to read as follows:

6.04.07 Confinement of Dogs.

- (a) All dogs kept in the City limits shall be confined indoors or to a fenced area of sufficient height and strength to prevent the enclosed animal from escaping. The fenced area may not encompass access to the front door of the main building on the property or any secondary residential structures.
- (b) Nothing contained in this section shall prevent a person from traveling in and about Prairie Grove with a dog on a leash.
- (c) No dog may be hitched, tied or fastened to any immovable object by any means that is directly attached to the dog's neck. If a dog is to be secured to an immovable object, it shall be done with a properly fitted collar or harness, and not with any type of choker collar. For purposes of this section, tethering shall constitute being fastened to an immovable object.
- (d) No animal shall be confined in a fenced area which does not permit the animal reasonable room to move and access food and water, except when the animal is being transported or trained, such as crate training.
- (e) No outdoor confinement shall be smaller than fifty (50) square feet, unless the property is insufficient for such size; in which case, the outdoor confinement shall encompass as much space as is reasonably possible.
- (f) No person shall leave a dog or cat inside a motor vehicle under such conditions that present a risk to the animal's health or safety, considering the animal's size, breed and age.
- (g) Dogs may be individually tethered outdoors by an appropriate means and in such a manner as to maintain the animal within the owner's property and not within six (6) feet of any sidewalk, driveway or street. Tethering shall be done in a manner as to protect the animal from strangulation and tangling as much as is reasonably possible. When a dog is tethered outdoors, the owner or other responsible person shall be present on or about the premises at all times.

- (h) It shall be unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night. Animals kept in areas zoned Agricultural are exempt from this section.

Section Four: Capture and Redemption Amended. Section 6.04.08 of the Prairie

Grove Municipal Code is amended to read as follows:

6.04.08 Capture and Redemption.

- (a) The Animal Control Officer may take into custody any dog or cat found running at large, abandoned, or in conditions in violation of this Chapter within the City Limits and to place such animal into any facility designated by the City.
- (b) The Animal Control Officer will scan the dog or cat for a microchip and contact the owner for redemption. If the animal is not microchipped, the Animal Control Officer should use any other identifying information to contact the probable owner, if available.
- (c) All animals shall be held a minimum of five days for redemption. If the owner of the animal is known, the City shall hold the animal for redemption for a minimum of five days following notice to the owner. The day the animal is captured shall count as the first day.
- (d) Owners wishing to redeem their animals shall pay the appropriate redemption fee as set forth in Section 6.04.09. No animal may be redeemed unless that animal has been licensed and has a valid rabies vaccination.
- (e) After the required holding period in 6.04.08(c) in City possession, the Animal Control Officer is authorized to place an animal for adoption, to euthanize the animal, or to otherwise dispose of the animal in a humane manner.

Section Five: Violations Amended. Section 6.04.13 of the Prairie Grove

Municipal Code is amended to read as follows:

6.04.13 Violations.

- (a) Any person who violates any provision of chapter 6.04 shall be guilty of a violation and fined an amount of: not less than \$25.00 or more than \$100.00 per offense for a first offense

within a twelve-month period; not less than \$50.00 or more than \$100.00 per offense for a second offense within a twelve-month period; not less than \$75.00 or more than \$100.00 per offense for a third offense within a twelve-month period; and \$100.00 per offense for a fourth or subsequent offense within a twelve-month period. Every day of violation shall constitute a separate offense.

- (b) Any person found in violation of Section 6.04.07(h) for a fourth offense within a twelve-month period may have the offending animals impounded and placed for adoption outside of the city limits.
- (c) If an owner fails to pay any redemption or care fees within 5 business days, they shall be guilty of a violation and subject to fines as above. Every day of violation shall constitute a separate offense.

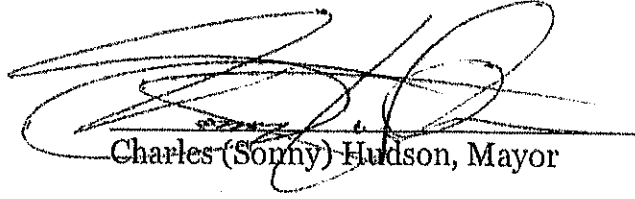
Section Six: Effective Date. This Ordinance shall become effective 60 days following its posting unless an Emergency Clause is affixed hereto.

Section Seven: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Eight: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

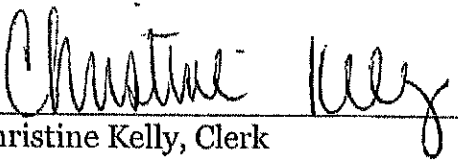
Section Nine: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 28 day of March 2022.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE 2022-1

AN ORDINANCE REDISTRICTING CITY WARDS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY PRAIRIE GROVE, ARKANSAS, THAT:

SECTION 1. Title. This Ordinance shall be known as the 2022 Redistricting Ordinance.

SECTION 2. Redistricting Adopted. The ward redistricting plan, consisting of the map attached hereto, is hereby adopted, and shall with serve hereafter as the official ward map for the City of Prairie Grove.

SECTION 3. A certified copy of said map shall be submitted to the Washington County Election Commission, and filed in the Office of the Washington County Clerk.

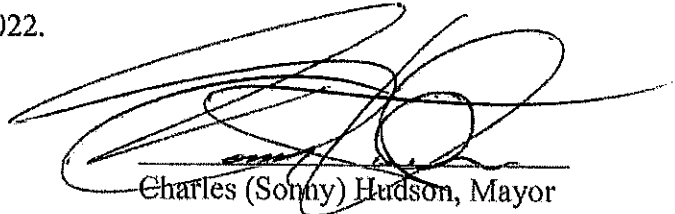
SECTION 4. Effective Date. This Ordinance shall become effective from and after 60 days of its passage unless an Emergency Clause is adopted.

SECTION 5. Repealing Clause. Ordinance or parts thereof in force at the time that this Ordinance shall take effect that are in conflict herewith are hereby repealed, including all previous ward maps and descriptions.

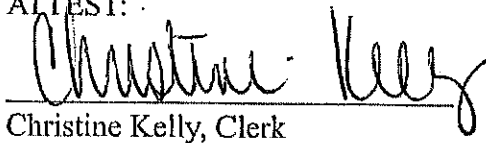
SECTION 6. Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of passage of this Ordinance.

SECTION 7. Severability Clause. In the event any portion of this Ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 28th day of March 2022.

  
Charles (Sonny) Hudson, Mayor

ATTEST:

  
Christine Kelly, Clerk

ORDINANCE NO. 2022-

8

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN  
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY COYLE  
ENTERPRISES, INC., MODIFICATION OF THE ZONING MAP, AND  
AMENDMENT OF THE ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,  
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2022 Coyle S. Mock  
Street Rezoning Ordinance

Section Two: Property Rezoned: From and after the effective date hereof, the  
following described real estate in the City of Prairie Grove, currently owned by  
Coyle Enterprises, Inc., is hereby changed in zoning classification from A-1  
(agriculture) to B-2 (business):

Part of the SW 1/4 of the NW 1/4 of Section 19, Township 15 North, Range 31 West,  
being more particularly described as follows; Commence at the SW corner of said  
SW1/4 of the NW 1/4 thence N1°50'9"E 644.05 feet to a fence corner; thence  
S88°51'28"E along a fence 797.10 to a found pin, thence S0°12'23"W 211.66 feet  
thence N89°20'58" E 283.53 feet to a set pin, thence S0°48'13"W 236.86 feet to a  
set pin for the point of beginning and run thence S89°54'47"E 275.00 feet to the  
east line of said SW1/4 of the NW 1/4 , thence along said east line 175 feet, thence  
N89°54'47" W along the center of a SWEPCO Transmission line easement 275.00  
feet to a set pin, thence N0°48'13"E leaving said center 175.00 feet to the point of  
beginning and containing 1.10 acres more or less, Washington County, Arkansas.

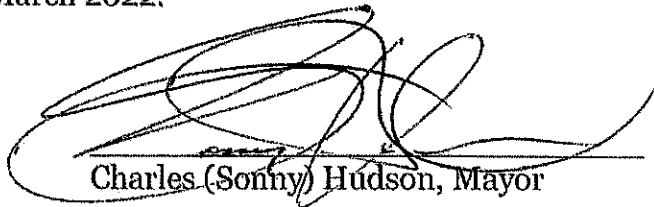
Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

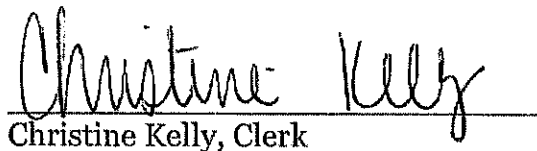
Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 28th day of March 2022.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, Clerk



ORDINANCE NO. 2022-9

**AN ORDINANCE TO ESTABLISH AN CENTRAL BUSINESS DISTRICT  
OVERLAY DISTRICT IN THE CITY'S ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,  
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the CBD Overlay District Ordinance.

Section Two: Purpose: Substantial portions of the CBD district are located within Commercial Historic Districts, and many other buildings within the district represent architecture and historic elements consistent throughout the district. The purpose of this ordinance shall be to require new construction to be consistent with the historic elements found within the district.

Section Three: CBD Overlay District Created: From and after the effective date of this Ordinance, the following CBD Overlay District requirements shall be in effect within the boundaries of the Central Business District for new construction, and new remodels.

4.2.7 CBD Overlay District imposes additional requirements on all property within the boundaries of the Historic Overlay District.

4.10 CBD Overlay District Requirements

4.10.1 All buildings and other structures within the Historic Overlay District shall not exceed two stories or thirty-five feet (35') in height.

4.10.2 All buildings and other structures shall use exterior façade materials that invoke the historical nature of the CBD and may use native stone, brick, stucco/plaster, or stamped metal reproductions of historic store fronts found in other historic buildings in the CBD only. Prohibited façade materials shall include, but are not limited to: vinyl or aluminum siding, wood siding, concrete siding, metal clad buildings, PVC components or elements, unfinished pressure treated lumber, wood fiber or strand board, high gloss metal, reflective

glass or corrugated products.

4.10.3 Exterior Architectural Elements shall be in keeping with other historic buildings in the CBD and design should reflect similar styles and elements as can be found throughout the CBD.

4.10.4 Compliance with CBD overlay requirements will be made by City planning and building staff. In the case of a dispute over proposed overlay district requirements, the Prairie Grove Planning Commission shall make a final determination.

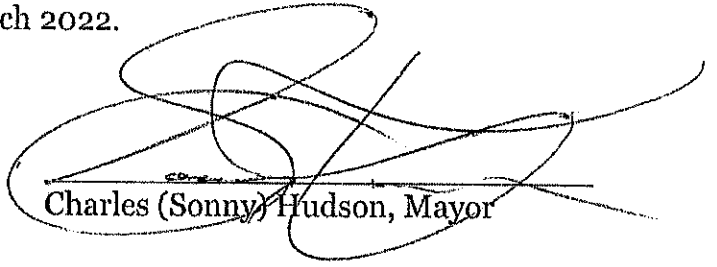
Section Four: Effective Date. This Ordinance shall become effective from and after 30 days of its posting.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 28th day of March 2022.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2022-10

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING ON  
EQUIPMENT FOR THE FIRE DEPARTMENT**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE  
GROVE, ARKANSAS, THAT:**

Section One: Section Two: Competitive Bidding Waived. Pursuant to A.C.A. §14-58-303(b)(2)(B), the City Council hereby declares that competitive bidding for the purchase of needed safety equipment is neither feasible nor practical for the Prairie Grove Fire Department, and purchasing the needed equipment is available at considerable savings through a regional and county-wide project to provide safety equipment to fire departments.

Section Two: Purchase Authorized. The Mayor and Clerk are hereby authorized to enter into a purchase agreement with Emergency Vehicle Specialists, of Conway Arkansas, for \$43,906.25 which includes equipment, attachments, and freight charges, for the purchase of an air compressor and the necessary tanks and attachments required to fill fire fighter air packs.

Section Three: Effective Date: This Ordinance, not being of a general and permanent nature, is effective immediately upon passage pursuant to A.C.A. §14-55-203(c)(2).

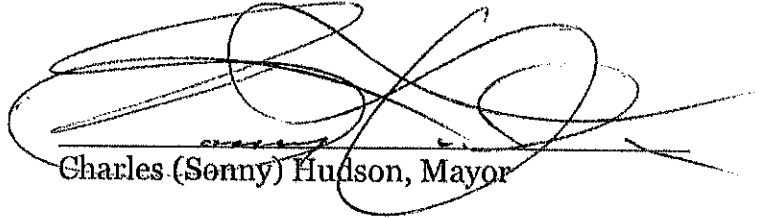
Section Four: Repealing Clause: This ordinance or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of passage or this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision then only that portion

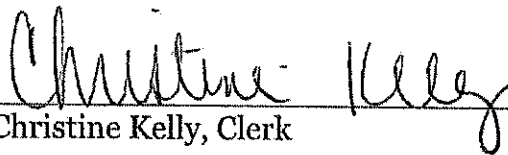
expressly so declared to be inoperative or invalid shall be affect thereby and all other provisions hereof shall remain in full force and effect.

Approved this 28<sup>th</sup> day of March 2022.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2022- 11

**AN ORDINANCE TO APPROVE THE FINAL PLAT OF THE SNYDER GROVE SUBDIVISION PHASES 2, 3 AND 4 AND ACCEPT THE DEDICATION OF STREETS AND EASEMENTS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Snyder Grove Subdivision Phases 2-4 Final Plat Approval Ordinance

Section Two: Final Plat Approved. The Final Plat of the Snyder Grove Subdivision, Phases 2, 3 & 4, as submitted by the developer and approved by the Prairie Grove Planning Commission, is hereby approved and the Mayor and Clerk are authorized to affix their names and the seal of the City thereto.

Section Three: Acceptance of Streets and Easements. The streets and easements dedicated to the City on the Final Plat of the Snyder Grove Subdivision, Phases 2, 3 & 4 are hereby accepted and the Mayor and Clerk are authorized to affix their names and the seal of the City to a Certificate of Acceptance.

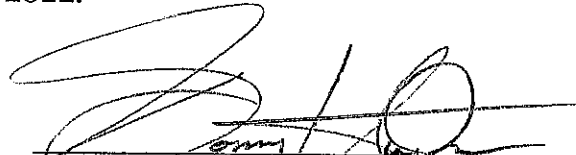
Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its passage.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Seven:      Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 18th day of April 2022.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, Clerk

ORDINANCE NO. 2022-12

**AN ORDINANCE TO APPROVE THE FINAL PLAT OF THE MOUNTAIN VIEW SUBDIVISION AND ACCEPT THE DEDICATION OF STREETS AND EASEMENTS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Mountain View Subdivision Final Plat Approval Ordinance

Section Two: Final Plat Approved. The Final Plat of the Mountain View Subdivision, as submitted by the developer and approved by the Prairie Grove Planning Commission, is hereby approved and the Mayor and Clerk are authorized to affix their names and the seal of the City thereto.

Section Three: Acceptance of Streets and Easements. The streets and easements dedicated to the City on the Final Plat of the Mountain View Subdivision are hereby accepted and the Mayor and Clerk are authorized to affix their names and the seal of the City to a Certificate of Acceptance.

Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its passage.


Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

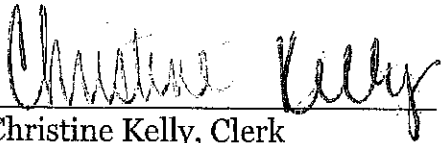


Section Seven:      Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 18th day of April 2022.

  
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Charles (Sonny) Hudson, Mayor

(Attest)

  
\_\_\_\_\_  
Christine Kelly, Clerk

ORDINANCE NO. 2022-13

AN ORDINANCE TO AMEND THE PRAIRIE GROVE MUNICIPAL CODE  
REGARDING THE STORAGE OF PROPANE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE  
GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2022 Propane  
Amendment.

Section Two: Storage Limit Amended. Section 7.48.03(A) of the Prairie Grove  
Municipal Code is amended to read as follows:

7.48.03 Storage of flammable and combustible liquids

- A. Class 1A liquids shall not be stored within the corporate limits of the City of Prairie Grove, provided however that one (1) container of liquified petroleum (LP) of no more than two-hundred fifty (250) gallons (by water capacity) maximum storage may be stored on a single premises pursuant to provision of the State Fire Code. In areas zoned Agricultural on properties of 2 acres or more and where minimum setbacks of 50 feet between the storage tank and any building and property boundaries can be maintained; such storage limit may be one-thousand (1000) gallons (by water capacity). This provision shall be applicable to engine fuel systems; provided however, that an engine fuel system container shall be limited to a maximum storage of one-hundred (100) gallons (by water capacity) for each motor vehicle upon which it is installed.

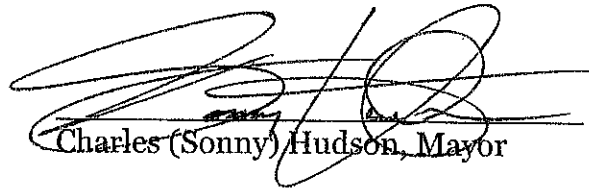
Section Three: Effective Date. This Ordinance shall become effective 60  
days following its posting unless an Emergency Clause is affixed hereto.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time  
that this ordinance shall take effect that are in conflict herewith, are hereby  
repealed.

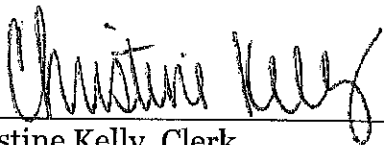
Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights  
or obligations existing at the time of the passage of this ordinance.

Section Six:        Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 18 day of April 2022.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, Clerk

Markup

- A. Class 1A liquids shall not be stored within the corporate limits of the City of Prairie Grove, provided however that one (1) container of liquified petroleum (LP) of no more than two-hundred fifty (250) gallons (by water capacity) maximum storage may be stored on a single premises pursuant to provision of the State Fire Code. In areas zoned Agricultural on properties of 2 acres or more and where minimum setbacks of 50 feet between the storage tank and any building and property boundaries can be maintained; such storage limit may be one-thousand (1000) gallons (by water capacity). This provision shall be applicable to engine fuel systems; provided however, that an engine fuel system container shall be limited to a maximum storage of one-hundred (100) gallons (by water capacity) for each motor vehicle upon which it is installed.

ORDINANCE NO. 2022-14

AN ORDINANCE TO AMEND THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE

GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2022 Zoning Amendment Ordinance.

Section Two: Zoning Ordinance Amended. Section 4.6 of the Prairie

Grove Zoning Ordinance is hereby amended to read as follows:

4.6 **Commercial Districts Permitted Uses:** (“P” indicates the use is permitted. “N” indicates the use is prohibited. “C” indicates the use requires a conditional use permit issued by the Planning Commission). All listed commercial uses and any residential or public uses are permitted in the CBD upon issuance of a conditional use permit.

<b>COMMERCIAL USES</b>	<b>CBD</b>	<b>B-1</b>	<b>B-2</b>	<b>O-1</b>	<b>O-2</b>
Apartments (residential) /R	C	N	C	C	N
Appliances (small) repair	P	P	C	N	C
Appliances (major) repair	P	P	C	N	N
Appliance Sales	P	P	P	N	N
Automotive car wash	C	P	C	N	N
Automotive service stations	C	P	C	N	N
Automotive repairs	C	P	C	N	N
Automotive Salvage	N	C	N	N	N
Automotive/motorcycle sales (New and used)	C	P	C	N	N
Banks, savings and loan, etc.	P	P	P	C	P
Barber Shops	P	P	P	N	C
Bars	N	C	C	N	N
Beauty Salons / Shops	P	P	P	N	C
Bed and Breakfast Inns	P	P	P	N	C
Boat and marine sales and service	C	P	C	N	N
Camera Sales and Supplies	P	P	P	N	C
Carnival, circus or similar temporary amusement enterprise	C	P	C	N	C
Catering (off premise)	P	P	C	C	C
Chemical Sales	C	P	C	N	N

Cleaning service (home and office)	P	P	P	C	P
Commercial recreation, small sites less than 2 acres; bowling alleys, video game centers, arcades, pool halls, skating rinks, etc.	P	P	C	N	N
Commercial recreation, large sites over 2 acres; drive in theatres, golf driving ranges, miniature golf, moto-cross, go-cart tracks, etc.	N	C	C	N	N
Communication Tower	C	C	C	N	N
Computer & Software sales and service	P	P	P	N	C
Construction Company (equip./storage)	N	P	C	N	N
Convenience Store (fuel and food sales)	P	P	C	N	N
Dept/Discount Store < 5001 sq. ft	P	P	P	N	N
Dept/Discount Store > 5000 sq. ft.	C	P	C	N	N
Drug Store	P	P	P	N	N
Duplex (residential) <sup>R</sup>	C	N	C	C	N
Duplicating, fax, quick printing	P	P	P	N	C
Eating establishments (without drive-in)	P	P	P	N	C
Eating establishments (service in autos)	P	P	C	N	N
Farm equipment, sales and service	P	P	N	N	N
Feed and fertilizer sales	P	P	C	N	N
Flea Market (enclosed)	P	P	C	N	N
Floor covering sales, retail	P	P	C	N	N
Florist shop	P	P	P	N	N
Florist Shop with Greenhouse	C	P	C	N	N
Food locker plant	P	P	N	N	N
Freight depot, rail or truck	P	P	N	N	N
Funeral home, mortuary	P	P	C	N	C
Furniture, repair	P	P	C	N	C
Furniture, used sales	P	P	C	N	N
Furniture, new sales	P	P	C	N	N
Garage/Parking lot, fee based	P	P	C	N	N
Gift, novelty store	P	P	P	N	N
Governmental offices, Police, Fire, Courts, Post Offices, Library, offices, Jails, Utility offices	P	P	P	C	C
Grocery store	P	P	C	N	N
Gym/Exercise Facility, commercial.	C	P	P	N	N
Hardware store	P	P	C	N	N
Health Food / Nutrition Center	P	P	P	N	N
Health spa/tanning salon	P	P	P	N	N
Hobby shop	P	P	P	N	N

Home building supply	C	P	N	N	N
Hospitals, nursing homes	C	C	C	N	N
Hotels, motels	P	P	C	N	N
Ice cream, frozen dessert store	P	P	C	N	N
Ice vending establishment	P	P	P	N	N
Interior decorating, design shop	P	P	P	C	C
Jewelry sales and repair	P	P	P	N	C
Kennel	N	C	C	N	N
Laundry pickup station only	P	P	P	N	C
Laundry plant	C	P	C	N	N
Laundry, self service	P	P	P	N	N
Liquor sales, off premises only	P	P	P	N	N
Loan office	P	P	P	C	P
Locksmith, key shop	P	P	P	N	C
Manicure / Nail Care	P	P	P	N	N
Massage Parlor (Therapeutic)	C	P	P	N	C
Meat market/Produce market	P	P	C	N	N
Medical (hospital supply) rental	P	P	P	N	C
Metal or Scrap Salvage	N	C	N	N	N
Mini-storage rental units	C	P	C	N	N
Mobile home sales and service	N	P	C	N	N
*Mobile Eating Carts	C	C	C	N	N
*Mobile Commercial Sales/booths/tents	C	C	C	N	N
Monument sales	P	P	C	N	N
Motion picture theaters	P	P	C	N	N
Moving, storage, carting, express haul	C	P	C	N	N
Newspaper/magazine retail store	P	P	P	N	C
Newspaper office, print shop	P	P	P	N	C
Novelty store/gift/tobacco/ candy	P	P	P	N	N
Offices, professional, including doctors dentists, lawyers, realtors, engineers, architects, etc (w/3 or fewer top-level professionals)	P	P	P	N	P
Offices, professional, including doctors dentists, lawyers, realtors, engineers, architects, etc (w/4 or more top-level professionals)	C	P	C	N	C
Offices, other	P	P	C	C	P
Office equipment, sales	P	P	C	N	C
Office equipment, repair	P	P	C	N	C
Office supplies, sales	P	P	C	N	N
Paint and wallpaper store	P	P	C	N	C
Pawn shop	P	P	C	N	N

Pest/Environmental control	N	P	C	N	N	
Pet shop	P	P	P	N	N	
Places of public assembly	P	P	P	N	C	
Plumbing/Mech. sales and service	P	P	C	N	N	
Recycling and reclamation	P	P	C	N	N	
Recreation or amusement center	P	P	C	N	N	
Rental, tools and equipment (inside)	P	P	C	N	N	
Rental, tools and equipment (outside)	C	P	C	N	N	
Recreational Vehicle Park	N	C	C	N	N	
Retail, General <5000 sq. ft	P	P	P	N	N	
Retail, General >5000 sq. ft	C	P	C	N	N	
School, commercial or trade	C	P	C	N	C	
School, nursery or day care	P	P	P	N	C	
Shoe sales and repair	P	P	P	N	N	
Sign, advertising	P	P	C	N	C	
Sign, business	C	P	C	N	N	
Single Family Residential <sup>R</sup>		C	N	N	C	N
Specialty shops (gifts, tobacco, etc.)	P	P	P	N	N	
Specialty food shops (meat, produce, etc.)	P	P	P	N	N	
Sporting goods sales	P	P	C	N	N	
Studio, photo, musical	P	P	P	C	C	
Swimming pool, commercial	P	P	C	N	N	
Swimming pool sales and supply	P	P	N	N	N	
Tanning Salons	C	P	P	N	N	
Tattoo Parlors/Body Piercing	C	C	C	N	N	
Telephone, mail order sales	P	P	P	P	P	
Towing or Impound	N	C	N	N	N	
Travel agency	P	P	P	N	C	
Trucking Offices	C	P	C	N	N	
Truck (commercial), construction equipment sales/parts/service	N	P	N	N	N	
Variety store < 5000 sq. ft	P	P	P	N	N	
Variety Store > 5000 sq. ft	C	P	C	N	N	
Veterinarian clinics	P	P	C	N	N	
Video cassette sales and rental	P	P	P	N	N	
Warehousing, inside storage only	P	P	N	N	N	
Wholesale establishment	P	P	C	N	C	

\*All Mobile eating carts, sales tents, stands, that are not permanent in nature shall have the written approval of the property owner who's land they will be placed on prior to requesting approval from the planning commission. Mobile businesses must contain and hold any wastewater, trash, or other waste product produced by

that mobile business and dispose of them in a safe, legal, and sanitary manner.

/R Residential uses, as part of a mixed use plan in business districts, are allowable as conditional uses where the applicant demonstrates design and functional features that minimize noise/nuisance opportunities i.e. Business downstairs / Residential unit upstairs.

Section Three: A new section 4.10.5 is added to read as follows:

4.10.5 Applicability. The CBD overlay requirements shall only apply to new construction and new remodels to commercially used buildings.

Section Four: Effective Date. This Ordinance shall become effective 60 days following its posting, unless an Emergency Clause is attached.

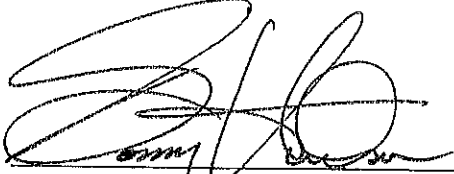
Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.




Approved this 18th day of April 2022.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2022- 15

**AN ORDINANCE TO APPROVE THE REVISED FINAL PLAT OF THE PRAIRIE VIEW SUBDIVISION AND ACCEPT THE DEDICATION OF STREETS AND EASEMENTS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Prairie View Subdivision Revised Final Plat Approval Ordinance

Section Two: Final Plat Approved. The Revised Final Plat of the Prairie View Subdivision, as submitted by the developer and approved by the Prairie Grove Planning Commission, is hereby approved and the Mayor and Clerk are authorized to affix their names and the seal of the City thereto. This is a revision to the Final Plat approved by Ordinance 2022-03.

Section Three: Acceptance of Streets and Easements. The streets and easements dedicated to the City on the Final Plat of the Prairie View Subdivision are hereby accepted and the Mayor and Clerk are authorized to affix their names and the seal of the City to a Certificate of Acceptance.

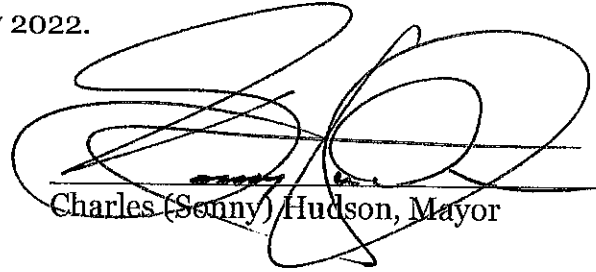
Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its passage.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

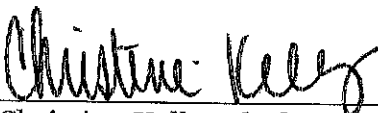
Section Seven:      Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16th day of May 2022.



Charles (Senny) Hudson, Mayor

(Attest)



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Christine Kelly, Clerk

ORDINANCE NO. 2022-16

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY DONNY EDWARDS, MODIFICATION OF THE ZONING MAP, AND AMENDMENT OF THE ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2022 Edwards Rezoning Ordinance

Section Two: Property Rezoned: From and after the effective date hereof, the following described real estate in the City of Prairie Grove, currently owned by Donny Edwards, is hereby changed in zoning classification from O-1 (office) to R-1 (residential):

A part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 18, and a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 19, all in Township 15 North, Range 31 West and being more particularly described as follows: commence at a cotton spindle at the Southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 18; thence West 23.51 feet to the West right-of-way of Pittman Street for the point of beginning and run thence South along said right-of-way 5.58 feet to the North right-of-way of Commercial Street; thence South 64°43'56" West along said right-of-way 113.29 feet to a set iron pin; thence North 08°26'25" West 92.65 feet to a set iron pin; thence North 67°54'27" East 125.24 feet to the West right-of-way of Pittman Street; thence South along said right-of-way 84.81 feet to the point of beginning and containing 10,268 square feet or 0.236 acres, more or less, Washington County, Arkansas.

Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

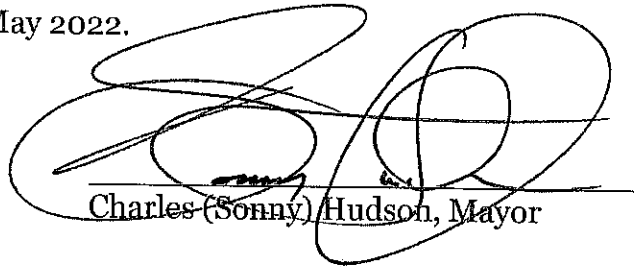
Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby

repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

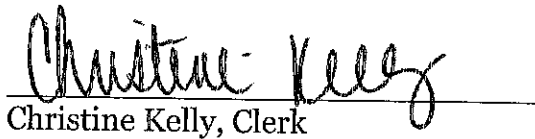
Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16th day of May 2022.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2022-11

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY JAMES LEWIS AND DORA BELLE JOHNSON, MODIFICATION OF THE ZONING MAP, AND AMENDMENT OF THE ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2022 Johnson Rezoning Ordinance

Section Two: Property Rezoned: From and after the effective date hereof, the following described real estate in the City of Prairie Grove, currently owned by James Lewis and Dora Belle Johnson, is hereby changed in zoning classification from A-1 (Agricultural) to B-1 (business):

A part of the Fractional Southeast Quarter (Fr SE ¼) of the Fractional Northwest Quarter (Fr NW ¼) of Section 4, Township 15 North, Range 31 West, and being more particularly described as follows: beginning at a point on the East right-of-way line of the Public Road 783.42 feet South and 1087.02 feet West of the Northeast corner of said fractional subdivision and running thence East 275.6 feet; thence North 94.6 feet; thence West 229.0 feet, more or less to the East right-of-way of said Public Road; thence South bearing West with said right-of-way line 112.6 feet more or less, to the point of beginning, containing 0.55 acres, more or less

LESS AND EXCEPT (from 2004-46597); starting at an iron pin being used as the center North 1/16 corner of Section 4; thence North 87°49'59" West along the North line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 4 a distance of 544.53 feet to a point on the Easterly right-of-way line of U.S. Highway 62 as established by AHTD Job 412; thence South 36°32'51" West along said right-of-way line a distance of 212.66 feet to a point; thence North 53°27'09" West along said right-of-way line a distance of 5.0 feet to a point; thence South 36°32'51" West along said right-of-way line a distance of 622.08 feet for the point of beginning; thence South 86°23'49" East a distance of 50.89 feet for a point on the Easterly right-of-way line of U.S. Highway 62 as established by AHTD Job R40082; thence South 35°37'10" West along said right-

of-way line a distance of 115.15 feet to a point; thence North 87°44'47" West a distance of 53.95 feet to a point on the Easterly right-of-way line of U.S. Highway 62 as established by AHTD Job 412; thence North 36°32'51" East along said right-of-way line a distance of 117.86 feet to the point of beginning, and containing 0.12 acres, more or less, as shown on plans prepared by the AHTD referenced as Job R40082. Washington County, Arkansas.

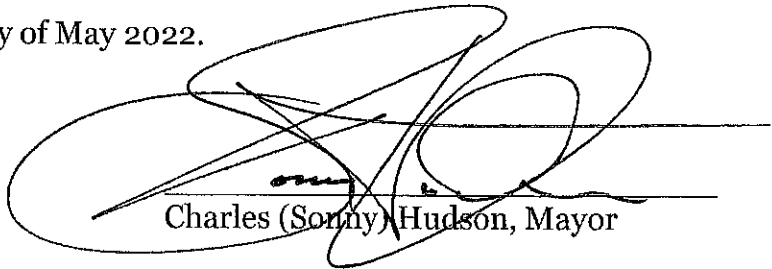
Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

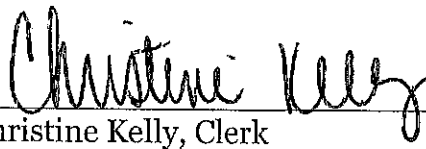
Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16th day of May 2022.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, Clerk

ORDINANCE NO. 2022-

18

**AN ORDINANCE TO AMEND PROCUREMENT POLICY.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,  
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2022 Procurement Amendment.

Section Two: This Ordinance is adopted to correct Ordinance 2021-30, adopted on September 20, 2021, which failed to specify the percentage of the local preference.

Section Three: Chapter 3.04 Amended. From and after the effective date of this Ordinance, Chapter 3.04 of the Prairie Grove Municipal Code shall be amended to read as follows:

3.04.01 Exempt Commodity Purchases The purchase of commodities listed in A.C.A. §14-58-104 may be purchased without soliciting bids.

3.04.02 Commodity Purchases of Thirty-five Thousand Dollars (\$35,000.00) Value or Less The Mayor, or their duly authorized representative, shall have exclusive power and responsibility to make purchases of all commodities requisite for public purposes for the City of Prairie Grove and to make all necessary contracts for work or labor to be done, or materials or other necessary things to be furnished for the benefit of the City where the amount of the commodity expenditure does not exceed the sum of Thirty-five Thousand Dollars (\$35,000.00).

3.04.03 Commodity Purchases in excess of Thirty-five Thousand Dollars (\$35,000.00) Value Where the amount of expenditure for any commodity purchase or contract exceeds the sum of Thirty-five Thousand Dollars (\$35,000.00), the Mayor, or their duly authorized representative, shall utilize competitive bidding in accordance with ACA §14-58-303 and the limits found in ACA §§19-11-229 & 19-11-234.

3.04.04 Adjustment of value limits in 3.04.02 and 3.04.03 In accordance with A.C.A. §14-58-303(b)(3) beginning January 1, 2025 and every five years thereafter, the value limits found in 3.04.02 and 3.04.03 shall be adjusted to take into account changes in the Consumer Price Index. Such calculations of the



change in value will be made by the Arkansas Department of Finance and Administration and provided to the City by ADFA.

3.04.05 Public Works Projects Contracts for the major repair, alteration or erection of buildings or other structures, or for making other permanent improvements are subject to the requirements of A.C.A. Title 22, Chapter 9.

3.04.06 Local Preference

A. In accordance with A.C.A. §14-58-105, the City of Prairie Grove hereby elects to provide a percentage preference in the amount of five percent (5%), not to exceed a dollar cap of \$35,000.00 to any **firm resident in the municipality** as that term is defined in A.C.A. §14-58-105.

B. Where State or Federal law governs purchases and do not allow for the granting of local preferences, this section is not available for use.

3.04.07 Sales, exchange or disposal of materials, supplies or equipment The Sale, exchange and disposal of personal property shall be governed by A.C.A. §14-54-302.

3.04.08 Professional Services Pursuant to the authority granted by A.C.A. §19-11-801(c), the City Council of the City of Prairie Grove hereby lists the following professional services exempt from the requirements of competitive bidding:

- Legal services
- Financial advisory services
- Architectural services
- Engineering services
- Construction management services
- Land surveying services
- Appraisal services
- Land use planning services
- Economic development services
- Pooled risk management (insurance) services through the Arkansas Municipal League

3.04.09 Business disclosure Any entity, other than a publically traded corporation, conducting business with the City of Prairie Grove, prior to entering into any business agreement or transaction with the City, shall provide the following information in writing to the City:

A. The names of the individuals: serving on its board of directors, who are members of an LLC, or partners in a partnership;

B. The names of its principal officers;

C. This requirement shall only apply to purchases and sales of real estate and companies bidding on City projects and procurements.

3.04.10 Electronic Payments

A. Designated municipal employees and officials responsible for disbursements are authorized to disburse electronic fund payments directly into payee accounts in financial institutions when necessary or convenient for payment of any expense allowed against the City.

B. Any such electronic disbursement shall include supporting documentation for the disbursement.

C. The electronic funds payment method used by the City shall provide for internal accounting controls and documentation for audit and accounting purposes.

D. The electronic funds payment method established by the City and authorized by this Ordinance shall not be implemented until and unless it has been approved by the Legislative Joint Auditing Committee.

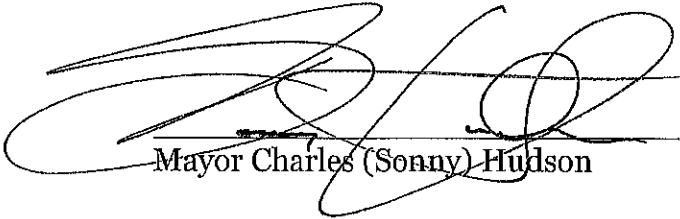
Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its posting, unless an Emergency Clause is attached hereto.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

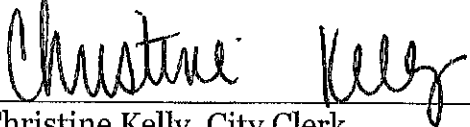
Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16 day of May 2022  
~~2017~~



Mayor Charles (Sonny) Hudson

(Attest)



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Christine Kelly, City Clerk

ORDINANCE NO. 2021-19

**AN ORDINANCE TO APPROVE THE FINAL PLAT OF THE  
DAUGHERTY ADDITION SUBDIVISION.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE  
GROVE, ARKANSAS, THAT:**

Section One: Title. This Ordinance shall be known as the Daugherty Addition Final Plat Approval Ordinance

Section Two: Final Plat Approved. The Final Plat of the Daugherty Addition on Heritage Parkway, as submitted by the developer and approved by the Prairie Grove Planning Commission, is hereby approved and the Mayor and Clerk are authorized to affix their names and the seal of the City thereto. This subdivision meets the definition of an "Informal Plat" under the Prairie Grove Subdivision Ordinance Section 2.18 and is being processed as a Final Plat approval without the need for preliminary plats or concept approval.

Section Three: Acceptance of Streets and Easements Not Applicable. As an Informal Plat, there are no streets or easements being dedicated to public use and therefore, no acceptance is required.

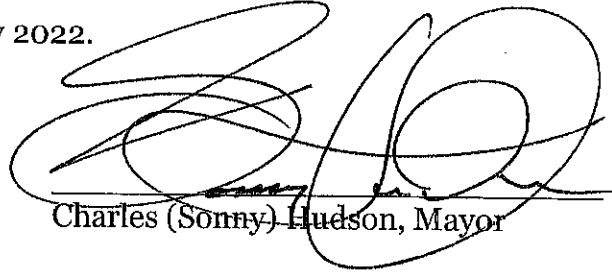
Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its passage.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.


Section Seven:      Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16th day of May 2022.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly  
Christine Kelly, Clerk