

## ORDINANCE NO. 2009-10

AN ORDINANCE AMENDING ZONING ORDINANCE 2004-6 AS AMENDED BY ORDINANCES 2004-09, 2007-19, 2008-7, AND 2008-19 TO ADD UNDER SPECIAL PROVISIONS, ARTICLE V, SECTION G, A SECTION CONCERNING THE PROHIBITION OF TRAVEL TRAILERS/CAMPERS, MAKING EXCEPTIONS FOR NATURAL DISASTERS AND CERTAIN SEASONAL PERMITS, DECLARING AN EMERGENCY THEREFOR, AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS THAT:

### I.

#### DEFINITION

**CARNIVAL-** A transient amusement enterprise set up with the intent to operate for a limited time at any specific location.

**TRAVEL TRAILER-** Each unit is a temporary single-family dwelling unit built on a chassis not exceeding 8 feet wide and 32 feet long designed for short-term occupancy and frequent travel, requiring services for utility and sanitary facilities. Unit may be self-propelled or towed behind a vehicle.

**CAMPER-** A small trailer built on a chassis, towed behind a vehicle with bunks, stove, and other facilities or a pickup truck that has a shell over the truck with minimum living facilities.

**TRACTOR AND TRAILER RIGS-** The tractor is a self-propelled unit designed to pull flat-bed or enclosed units for transporting of goods. The trailer is the unit either flat-bed or enclosed that goods are placed in for transporting and is not intended for the storage of goods. Either in one unit or separately, vehicles having more than two axles on the road or similar vehicles not ordinarily used for personal transportation or, otherwise, known as a type of commercial vehicle.

### II.

An Amendment to the Zoning Ordinance 2004-6 as amended by subsequent ordinances, Under Article V, Special Provisions, Section G shall be added as follows:

1. No travel trailer/camper shall be used as a dwelling/residence, with the exception of following a natural disaster, fire or other destructive occurrence that requires the rebuilding or repair of the owner's residence.
2. In the event of a natural disaster, fire or other destructive occurrence destroying or damaging a residence beyond livability, a travel trailer/camper may be moved onto the property for a dwelling while the residence is being rebuilt or repaired. The travel trailer/camper shall be used as a dwelling for a period of time not exceeding nine (9) months.

3. If at the end of three (3) months, no building or repair of the residence has started, the travel trailer/camper must be vacated as a dwelling.

4. The mayor may grant a seasonal residence special event permit for no longer than 14 days for a travel trailer/camper. Examples such as: Carnivals, Fairs, or July 4<sup>th</sup> activities.

5. No travel trailer/camper shall be parked or occupied in the Commercial-1 District for any period of time longer than necessary for the transaction of business.

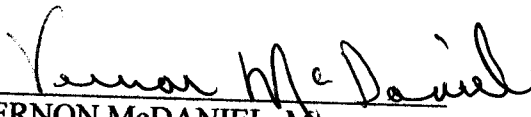
6. No part of a tractor and/or trailer unit, bus, truck bed (closed or open), motor vehicle, travel trailer/ camper, any of the preceding, with or without the chassis, shall be used for a storage building, refuse container or a business or dwelling, or converted to aforesaid uses.

### III.

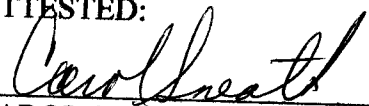
#### EMERGENCY CLAUSE

It is urgent that the City of Ozark comply with current Arkansas law and that it have comprehensive, viable, and explicit codes to protect the health and safety of its citizens and the protection of property within the city. Therefore, an emergency is declared to exist and the ordinance being necessary for the immediate protection of said public peace, health and safety, shall take effect immediately upon its passage and approval.

IT IS SO ORDAINED UPON ITS PASSAGE ON THE 11<sup>th</sup> DAY OF May, 2009.

  
VERNON McDANIEL, Mayor

ATTESTED:

  
CAROL SNEATH, City Clerk

City of Ozark

SEASONAL RESIDENCE SPECIAL USE PERMIT

Ordinance # 2009-10

Special provisions, Article V., Section G, # 4  
stating

"The Mayor may grant a seasonal residence special event permit for  
no longer than fourteen (14) days for a travel trailer/camper.  
Examples such as: Carnivals, Fairs, or July 4th activities.

This permit is hereby granted to West Park Baptist Church.

Address: 500 N. 29th, Ozark, AR 72949.

Responsible party: Troy Vaughn.

The request of the petitioner is for: (state the number of days, limit 14) 3

and will end on (date): December 6, 2009. At the end of the date

declared, the travel trailer/camper is to be removed from the above address.

Failure to adhere to this ordinance/regulations will result in actions by the

Ozark Code Enforcement Officer.

Granted this 1st day of December, 2009.

Vernon McDaniel  
Mayor