

ORDINANCE NO. 344

**AN ORDINANCE AMENDING GREENLAND MUNICIPAL CODE  
TITLE 14, CHAPTER 14.04, SECTION 14.04.06; AND TO  
DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City of Greenland previously rezoned certain residential areas as commercial zones, in anticipation of future growth; however, the City hasn't yet realized the anticipated commercial growth; and

WHEREAS, the Planning Commission has recommended changes to Paragraph F of Section 14.04.06 to allow the rebuilding of non-conforming structures until such time as the City needs to revisit this planning matter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GREENLAND, ARKANSAS:

**SECTION 1.** That the Greenland Municipal Code, Greenland, Arkansas, bearing the date of February 2019 is hereby amended by deleting the language contained in the body of Paragraph F. Damage and destruction of Section 14.04.06, and replacing it with the following language:

F. Damage and destruction

1. Involuntary damage to or destruction of a nonconforming structure or a structure containing a non-confirming use (from fire, winds or other calamity) shall permit the owner to rebuild, reconstruct or restore the structure on the same footprint of the original structure plus any addition or expansion that is allowed by the underlying zoning district. Such reconstruction is permitted as long as it begins within eighteen (18) months of the loss and complies with all other applicable zoning, development and building codes.
2. Failure to exercise the options herein provided within the time specified shall be considered a voluntary abandonment and structure(s) may be rebuilt and used thereafter only for a conforming use and in compliance with provisions of the district in which it is located. As provided in 14.04.05, previously platted non-conforming lots may be utilized. (Ord. No. 277, Sec. 6.).
3. Repairs to nonconforming structures or portions thereof are permitted, so long as the nonconforming portion of the structure is not enlarged in volume, area, or footprint.

**SECTION 2. REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 3. SEVERABILITY:** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional.

**SECTION 4. EMERGENCY CLAUSE:** The Council believes an immediate amendment is necessary to allow for expedient rebuilding and to prevent delay to the owner of a non-conforming structure; therefore, it is viewed that an immediate solution is necessary, thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists, and this Ordinance, being necessary for the immediate protection of the health, welfare and safety of the citizens of Greenland, Arkansas, shall be in effect immediately upon its passage, approval and publication.

PASSED AND APPROVED this 9<sup>th</sup> day of March, 2020

  
\_\_\_\_\_  
Bill Groom, Mayor

ATTEST:

  
\_\_\_\_\_  
Misty McCard, City Recorder/Treasurer

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names of those voting YEA

Names of those voting NAY

Diane Reed      Beckey Center  
Bill Voes      Rebecca Lawson  
Lee Euthrie      Larry Forrester  
Justin Reed  
Absent  
Lisa Thornton

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names of those voting YEA

Names of those voting NAY

Diane Reed      Rebecca Lawson  
Bill Voes      Larry Forrester  
Lee Euthrie  
2 Justin Reed  
Beckey Center

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Absent

Lisa Thornton