

ORDINANCE NO. 392

**AN ORDINANCE TO CLARIFY LANGUAGE AND MEANING OF ORDINANCE 370 WHICH
ALLOWS FOR THE COLLECTION OF WASTEWATER IMPACT FEES AND AMEND
GREENLAND MUNICIPAL CODE**

WHEREAS, the Greenland City Council adopted and passed Ordinance 370, in September of 2023, which allowed for the collection of Wastewater Impact Fees on all new development inside the city of Greenland, lifting the moratorium established by Ordinance No. 355.

WHEREAS, the original intent of Ordinance 370 was to collect only Wastewater Impact Fees at 25% of the City of Fayetteville's Wastewater Fees. However, the wording in Ordinance 370 is not specific, and has caused the City of Fayetteville to charge 25% impact fees for both water and wastewater on new development in the city of Greenland since it was adopted.

WHEREAS, in order to clarify, from the date of the passage of this Ordinance, the city of Greenland will collect only a Wastewater Impact Fee at 25% of the City of Fayetteville's Wastewater fee. This fee will now be collected by the city of Greenland as established by the First Amendment of the Fayetteville and Greenland Sewer Contract of 2017, and Resolution 07-08-2024 which were both approved and adopted by the Greenland City Council on July 8th, 2024

WHEREAS, Ordinance 370 established a fee chart in Section 1 (c) to calculate the amount of the Wastewater Fee. This chart does not allow for future increases made by the City of Fayetteville, and therefore will be deleted from Section 10.06.11 of the Greenland Code.

WHEREAS, any person or corporation that has paid a 25% **Water Impact Fee** to the City of Fayetteville due to the ambiguous language of Ordinance 370 will be due a refund of that amount only, with no accrued interest.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF GREENLAND ARKANSAS, That:

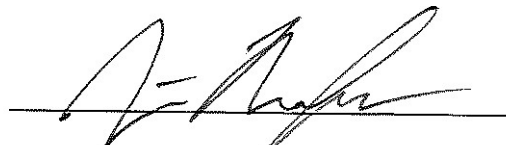
SECTION 1: That the Greenland Municipal Code is hereby amended. In cooperation with the City of Fayetteville, the City of Greenland will now collect Wastewater impact fees at 25% of the City of Fayetteville's impact fees, allowing for any future increase imposed by the City of Fayetteville.

SECTION 2: REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 correct the wording of Ordinance 370 to prevent customers from being overcharged in the future. It is therefore 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 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 12th DAY OF AUGUST, 2024



JIM RENFROW, MAYOR

ATTEST:



MISTY MCCARD, RECORDER/TREASURER

ORDINANCE NO 393

AN ORDINANCE TO ZONE PROPERTY AND DESCRIBED IN EXHIBIT A, EXHIBIT B, EXHIBIT C, AND EXHIBIT D FOR APPROXIMATELY 115.9 ACRES LOCATED WEST OF CATO SPRINGS ROAD AND ADJACENT TO PEAR LANE TO PLANNED ZONING DISTRICT (PZD)

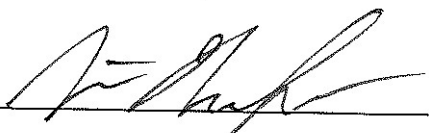
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENLAND ARKANSAS:

Section 1. That the City Council of the City of Greenland, Arkansas hereby adopts the zone classification of the property as described in Grant of Conservation Easement dated December 29, 2016, and filed for record at Washington County Circuit Clerk File No. 2016-00038711 (Exhibit A), (Exhibit B) map of the area to be zoned PZD, (Exhibit C) the New Pear Farm Management Plan, and (Exhibit D) PZD Legal Description attached to this ordinance to Planned Zoning District (PZD) that outlines the permitted and prohibited uses of the property and serves as the Planned Development Plan for the PZD zoning district. Area to be zoned PZD is described in exhibit B and D and the permitted and prohibited use described in exhibit A and C.

Section 2. That the City Council of the City of Greenland Arkansas hereby amends the official zoning map of the city of Greenland to reflect the zoning change provided in Section 1.


PASSED AND APPROVED on August, 12th, 2024

Approved:



Jim Renfrow, Mayor

Attest:



Misty McCard, Recorder Treasurer