

MUNICIPAL CODE

**A Code of the General Ordinances
of the city of Cotter, Arkansas**

Date of Incorporation

July 13, 1904

Date of Codification

March 2009

Prepared with
assistance of the

ARKANSAS MUNICIPAL LEAGUE

P. O. Box 38
2nd and Willow
North Little Rock, Arkansas 72115
Telephone: 374-3484

COTTER MUNICIPAL OFFICIALS

At The Time Of This Code's Preparation

Mayor	David McNair	
Recorder/Treasurer	Peggy Hammack	
City Attorney	Roger Morgan	
District Judge	Van Gearhart	
Police Chief	Scott Thrasher	
Fire Chief	James Whittington	
Director of Public Works	Ronnie Smith	
Street Superintendent	Richard Weaver	
Wastewater Superintendent	George Lanning	
Aldermen	Tom Stueken	George Peters
	Gil Stammer	John Dubois
	Denis Dunderdale	Jack Burkhart

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING AND ENACTING A
NEW MUNICIPAL CODE OF ORDINANCES OF
THE CITY OF COTTER,
ARKANSAS, ESTABLISHING THE SAME; PROVIDING
FOR THE REPEAL OF CERTAIN ORDINANCES NOT
INCLUDED THEREIN, EXCEPT AS HEREIN
EXPRESSLY PROVIDED; PROVIDING FOR THE
EFFECTIVE DATE OF SUCH CODE AND A PENALTY
FOR THE VIOLATION THEREOF; PROVIDING FOR THE
MANNER OF AMENDING SUCH CODE; AND PROVIDING FOR
THE EFFECTIVE DATE OF THIS ORDINANCE, AND FOR OTHER
PURPOSES.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER,
ARKANSAS:

Section 1. That the Code of Ordinances is hereby adopted and enacted as the "Cotter Municipal Code". Such code shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the City Council on or before _____, to the extent provided in Section 2 hereof.

Section 2. That all provisions of such code shall be in full force and effect from and after the _____ day of _____. All ordinances of a general and permanent nature not included in such code are hereby repealed from and after the _____ day of _____, except as herein provided. No resolution of the city, not specifically mentioned, is hereby repealed.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any of the following:

- A. Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of such code;
- B. Any ordinance promising or guaranteeing the payment of money for the city or authorizing the issuance of any bonds of the city or any evidence of the city's indebtedness;
- C. Any contract or obligation assumed by the city;

- D. Any ordinance dedicating, naming, establishing, locating, relocating, opening, widening, paving, etc., any street or public way in the city;
- E. Any appropriation ordinance;
- F. Any ordinance which, by its own terms, is effective only for a stated or limited time;
- G. Any ordinance providing for local improvements and assessing taxes therefor;
- H. Any ordinance dedicating or accepting any subdivision plat; or
- I. Any ordinance enacted after _____.

Section 4. That whenever in such code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefore, the violation of any such provision of such code shall be punishable as provided by Section 1.32.01 of such code.

Section 5. That any and all additions and amendments to such code, when passed in such form as to indicate the intention of the City Council to make the same a part thereof, shall be deemed to be incorporated in such code so that reference to the Cotter Municipal Code shall be understood and intended to include such additions and amendments.

Section 6. That in case of the amendment of any section of such code for which a penalty is not provided, the general penalty as provided in Section 1.32.01 of such code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. That three copies of such code shall be kept on file in the office of the Recorder/Treasurer preserved in looseleaf form or in such other form as the City Council may consider most expedient. It shall be the express duty of the Recorder/Treasurer, or someone authorized by the Recorder/Treasurer, to insert in their designated places all amendments or ordinances which indicate the intention of the City Council to make the same a part of such code when the same have been printed or reprinted in page form, and to extract from such code all provisions which may be from time to time repealed by the City Council. These copies of such code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or amend by additions or deletions any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the city of Cotter to be misinterpreted thereby. Any person violating this section shall be punished as provided in Section 4 of this ordinance.

Section 9. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10. It is hereby found that many of the ordinances of the city of Cotter are not easily accessible to citizens and municipal officials and thereby has rendered it difficult for many persons to determine the actual laws in effect; and that the city has made unusual efforts to have the laws of the city of Cotter adopted and published. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

Approved and passed this _____ day of _____.

Mayor

(SEAL)

ATTEST:

Recorder/Treasurer

LEGAL NOTICE

Notice is hereby given that the city of Cotter, Arkansas, is planning to adopt the Cotter Municipal Code for the city of Cotter, Arkansas.

Pursuant to A.C.A. 14-55-206 three copies of the Cotter Municipal Code are on file in the office of the Mayor for the inspection and view of anyone interested in this ordinance. This ordinance will be considered at the meeting of the City Council on _____.

MAYOR

P R E F A C E

The Cotter Municipal Code is a codification of the general ordinances of the city of Cotter, Arkansas.

The loose-leaf binder and numbering system have been designed to permit the code to be easily and efficiently kept up to date. We hope this will enable the municipal code to be of the greatest assistance to the citizens and municipal officials of the city of Cotter.

**ARKANSAS MUNICIPAL LEAGUE
CODE SERVICE**

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