

CITY OF DYER, ARKANSAS

ORDINANCE NO. 04-17-2007 ~~2007~~-3

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF DYER, ARKANSAS,
AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE TO ADOPT, ENACT AND ENFORCE
CRAWFORD COUNTY ORDINANCE 22-2003 WITHIN THE
CORPORATE LIMITS OF THE CITY OF DYER,
DECLARING AN EMERGENCY, AND FOR OTHER
PURPOSES.**

- WHEREAS, the City Council for the City of Dyer has determined that the unfettered allowance of sexually oriented businesses, as that term is defined under Crawford County Ordinance 22-2003 inside the corporate limits would create a public nuisance and a serious threat to the health safety and welfare of its citizens and the community; and
- WHEREAS, the City Council for the City of Dyer has determined that reasonable rules and regulations are needed to protect property owners, businesses and citizens in the City of Dyer from sexually oriented enterprises; and
- WHEREAS, the City of Dyer has determined that Crawford County Ordinance 22-2003 sets out reasonable rules and regulations necessary to protect property values and citizens in Dyer; and
- WHEREAS, the promulgation and adoption of this Ordinance is made pursuant to the City of Dyer's police power; and
- WHEREAS, the City of Dyer has found that purposes hereof require immediate attention, for the protection of the health, welfare and safety of the inhabitants of the City of Dyer, and as herein set out, an emergency exists and is hereby declared to exist, and this ordinance shall be and become effective immediately upon this passage and adoption by the City Council.

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

SECTION 1: The City Council for the City of Dyer hereby determines and declares that the unfettered and unregulated allowance of sexually oriented businesses inside the corporate limits hereby would create a public nuisance and pose a serious threat to the health safety and welfare of its citizens and the community.

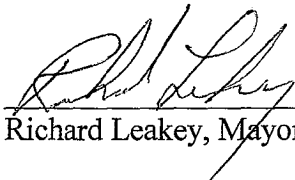
SECTION 2: To protect the health safety and welfare of its citizens and the community the City Council for the City of Dyer hereby adopts, enacts and seeks to enforce Crawford

County Ordinance 22-2003 within the corporate limits of the City of Dyer, pursuant to the terms and conditions setforth therein.

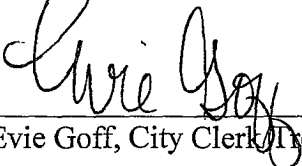
SECTION 2: *Emergency Clause.* It is hereby found and determined by the City Council that an emergency exists in the City of Dyer, Arkansas, requiring specific regulation of sexually oriented businesses. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is therefore declared to exist and this ordinance shall be in full force and effect from and after the date of its passage.

SECTION 3: The various provisions and parts of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extent the provisions hereto are declared to be severable.

IN WITNESS WHEREOF, the City of Dyer, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 6 for and 0 against, the foregoing Ordinance at its meeting held on the 17th day of April 2007.


Richard Leakey, Mayor

ATTESTED:


Evie Goff, City Clerk/Treasurer

APPROVED AS TO FORM:

N. Donald Jenkins, Jr., City Attorney