

City of Dyer, Arkansas
Resolutions and Ordinances
Adopted by the City Council

- 2021-01-24-01 - Resolution - City Bank Account Signatories
- 2021-01-26-01 - Resolution - City Council Policies and Procedures
- 2021-01-26-01 - Ordinance - Relocation of City Court to Mulberry, AR
- 2021-04-13-01 - Ordinance - Water Department Policies and Procedures
- 2021-04-13-02 - Ordinance- Special Election for Annexation
Repealing Ordinance 2019-11-26-01
- 2021-04-20-01 - Resolution - Adoption of Consent Decree (Morrell v. City of Dyer)
- 2021-04-27-01 - Ordinance - Water Rates
Repealed Section 3 of Ordinance 2019-12-10-01
- 2021-05-11-01 - Ordinance - Policies and Procedures for Water and Wastewater
- 2021 07-21-01 - Ordinance - Zoning - Mobile Home Conditional Use Permit
- 2021-11-08-01 - Resolution - Tax Levy

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2021-01-24-1

A RESOLUTION REMOVING AUTHORIZED SIGNERS FROM THE CITY'S FINANCIAL ACCOUNTS.

Whereas, on January 1st a new slate of elected officials took office for the city of Dyer Arkansas.

THEREFORE. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER. ARKANSAS, AS FOLLOWS:

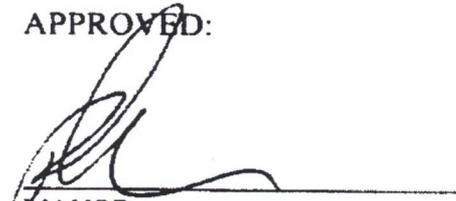
SECTION 1: The following individuals shall hereby be removed as authorized signers from the City of Dyer's Financial Accounts: Veronica Robins, Billy Gale Morse, Torrie Abshire and Nancy Smith.

SECTION 2: The following individuals shall hereby be added as authorized signers to the City of Dyer's Financial Accounts: Paul Brown, Lynn Hubbard, and Donna Staton.

SECTION 3: The following individuals shall hereby be added to authorized drop-off and pick-up list for all City of Dyer's Bank Deposits: Katherine Fry, Lynn Hubbard, and Paul Brown.

PASSED AND APPROVED THIS 27 DAY OF JANUARY 2021.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2021-01-26-1A

A RESOLUTION SETTING THE POLICIES AND PROCEDURES FOR THE CITY COUNCIL OF THE CITY OF DYER.

WHEREAS, the Dyer City Council has determined that the city will be better served with a set of formally adopted policies and procedures governing the operation of the City Council of Dyer, Arkansas.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: MEETING SCHEDULE

The City Council will meet at 5:30 p.m. at the City of Dyer, City Hall, City Council Chambers, on the fourth Tuesday of each month.

A regularly scheduled meeting cannot be cancelled prior to the meeting's date and time. It can be cancelled if, after 15 minutes past the start time, a quorum is not present

If a quorum is present, but the mayor is absent, the city Recorder/Treasurer shall serve as president pro tempore.

SECTION 2: AGENDA

The Mayor shall delegate collection, initial organization, and distribution of the final draft of the agenda to the City Recorder/Treasurer; however, the Mayor shall maintain responsibility for and control of the agenda. At a regular meeting of the City Council, the Council, by majority vote, may rearrange the order of the agenda.

All items for discussion at regular City Council meetings shall be organized under the following headings:

1. Call to order by Mayor
2. Moment of silence
3. Pledge of Allegiance
4. Roll Call by the City Recorder/Treasurer
5. Approval of Previous Meeting Minutes
6. Approval of Financials
7. Department Reports
8. Public Comments
9. Unfinished business
10. New business
11. Adjournment

Any citizen of Dyer may have an item placed on the agenda by contacting the City Recorder/Treasurer no later than 12:00 p.m. noon on the Thursday immediately preceding each regular city council meeting. All items for discussion or action at the regular city council meeting shall be included in a Final Agenda provided by the Recorder/Treasurer to the Aldermen, the Mayor, and the City Attorney no later than 12:00 p.m. noon on the Monday immediately preceding the regular city council meeting.

Any ordinance or resolution which was not included on the Final Agenda may only be brought before the Council after approval by majority vote of the City Council.

The City Council shall provide thirty (30) minutes during each regular council meeting for public comment on non-agenda business. Each individual is required to limit his or her comments to three (3) minutes. The City Council reserves the right to suspend the rules for extra time, if necessary.

SECTION 3: SPECIAL MEETINGS

If during a regular city council meeting the council schedules a special meeting (by majority vote), the date, time, and place and reason for the meeting shall be stated and proper notice as required by the Arkansas Freedom of Information Act shall be made. The mayor shall also post the notice of the meeting at City Hall and if practicable other city owned signage.

A public hearing may also be scheduled by a majority vote of the City Council as to date, time, place, and subject. The discussion shall be only on one subject. The meeting shall be noticed just as a special meeting.

A special meeting may also be scheduled if the Mayor decides that a special meeting is necessary. The required two (2) hour notice shall be given as required by the Arkansas Freedom of Information Act and if practicable the Mayor shall provide the same notice as for any other meeting.

SECTION 4: PARLIAMENTARY RULES

Unless specifically addressed in this resolution, the City Council of the City of Dyer shall follow the parliamentary rules as described in the *Procedural Rules for Municipal Officials* as published by the Arkansas Municipal League in the May 2014 edition. A copy of the said pamphlet is attached as Exhibit A to this resolution, and copies of said pamphlet shall be maintained at city hall for inspection by the public. The public or officials may order individual copies by contacting the Arkansas Municipal League.

SECTION 5: PUBLIC COMMENT

The citizens of Dyer shall be allowed to make public comments at city council meetings subject to the procedures in this resolution. Public comments shall only be made during the public comment period unless an Alderman shall recognize a citizen during the discussion of an agenda item.

All public comments shall be limited to three (3) minutes unless the City Council shall by majority vote move to suspend the rules to allow more time. Public comments shall be made to the City Council as a whole and may not be directed to any individual. A question may be asked of council members or city employees, but must be directed through the Mayor or other presiding officer.

Citizens desiring to make public comments during the comment period must sign up on the sheet in the back of the council chamber prior to the start of any city council meeting. Citizens may not make comments until recognized by the Mayor or presiding officer.

Individuals shall approach the microphone and speak into it during their entire comment period. Immediately after being recognized by the Mayor or presiding

officer, the individual making a public comment must state his or her full name and legal address for the record.

Repetitive comments should be avoided. All members of the public are requested to accord the utmost courtesy to members of the City Council, to other members of the public, and to city staff or employees, and are asked to refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

SECTION 6: DECORUM

There will be no smoking or tobacco usage of any kind allowed in the City Hall. With the exception of on-duty emergency services personnel, cell phones and pagers must be turned off or put in silent mode and not used within the Council Chambers during meetings.

SECTION 7: CODE OF ETHICS

(a) General

Aldermen, other elected city officials and the city's administrative officers and department heads occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly must be subject to the scrutiny of public opinion both to the legality and to the propriety of such transactions.

(b) Conflict of Interest

Aldermen, other elected officials and the city's administrative officers and department heads shall refrain from making use of special knowledge or information gained by virtue of their elected office or position before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors, and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing herein, however, shall serve to deny any of the above-mentioned of their legal rights and privileges available to all Dyer citizens.

(c) Responsibility to All Citizens

Aldermen, other elected officials and the city's administrative officers and department heads shall conduct themselves so as to bring credit upon the city as a whole and so as to set a good example of good ethical conduct for all citizens of the community. Aldermen other elected officials and the city's administrative officers and department heads shall bear in mind at all times their responsibility to all Dyer citizens, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, sex, or the economic or social position of individual citizens.

(d) Responsibility to Disclose

In an effort to allow the public full knowledge of financial and personal interests, Aldermen and other elected officials are expected to file an annual statement of financial interest as required in Ark. Code Ann. § 21-8-701. Aldermen, and other elected officials and the city's administrative officers and department heads are also expected to disclose any business or financial interest which could affect or be affected by decisions of the City Council, other elected city officials or the city's administrative officers or department heads. This language shall be interpreted to include real estate holdings and business or financial interests held by the individual, his/her spouse, children, parents or siblings or beneficial interests in a partnership, corporation or any other legal entity.

Aldermen, and other elected officials and the city's administrative officers and department heads shall also disclose any familial relationships with any other city official or employee which could affect or be affected by decisions of the City Council, the Mayor, a city administrative officer or department head.

The financial and familial disclosures should be made in writing and filed with the City Recorder/Treasurer before February 1st of each year; any changes in disclosure information during the year must be filed with the City Recorder/Treasurer within thirty (30) days of such change.

No non-elected city officials and employees are required to include his or her home address on disclosure documents per Ark. Code Ann. § 25-19-105

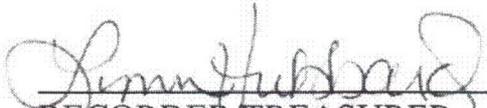
SECTION 8: ELECTRONIC PARTICIPATION IN MEETINGS

As may be necessary or advisable, meetings may be conducted all or in part through virtual or electronic means in instead of or in addition to in person meetings. In order to comply with the Arkansas Freedom of Information Act Statute all meetings shall be open to the public, and the public shall be afforded a means to hear and be heard and otherwise participate in the meeting in a legitimate and reasonably practicable manner whether the meeting should be in person, virtual or some combination of thereof.

PASSED AND APPROVED THIS 26th DAY OF JANUARY 2021.

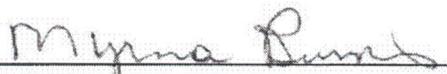


MAYOR

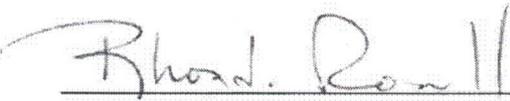


RECORDER/TREASURER

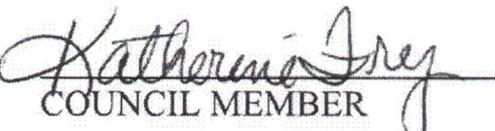
ACKNOWLEDGED:



COUNCIL MEMBER



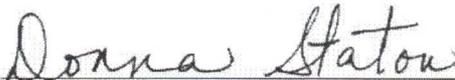
COUNCIL MEMBER



COUNCIL MEMBER



COUNCIL MEMBER



COUNCIL MEMBER

COUNCIL MEMBER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2021-01-26-01 b

AN ORDINANCE CREATING THE PROCEDURES FOR THE TRIAL OF PERSONS CHARGED WITH A VIOLATION OF LAW OR ORDINANCE WITHIN THE CITY OF DYER, ARKANSAS, PURSUANT TO AMENDMENT 80 TO THE ARKANSAS CONSTITUTION AND OTHER LAWS OF THE STATE OF ARKANSAS, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer has previously by ordinance under the authority of Amendment 80 abolished its city court and transferred the jurisdiction to the Dyer Department of the Crawford County District Court located in Van Buren, Crawford County, Arkansas;

WHEREAS, the City Council of Dyer desires to move the location of its district court department to Mulberry, Arkansas;

WHEREAS, the City Council of Dyer desires to set the procedures for the trial of persons charged with violations of law and ordinances within the City of Dyer;

WHEREAS, the Mulberry Department of the Crawford County District Court shall be the proper location and court for the trial of persons charged with violations of law and ordinances within the City of Dyer;

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

SECTION 1: All persons charged with violations of applicable laws and ordinances within the City of Dyer, Arkansas shall be tried in the Mulberry Department of the Crawford County District Court located in Mulberry, Crawford County, Arkansas.

SECTION 2: Court costs assessed in criminal actions by the City of Dyer, Arkansas, shall be paid to the State of Arkansas, with such turn-back as may be provided for under Arkansas law.

SECTION 3: All fines and costs assessed by the City of Dyer in criminal actions shall be payable through the Clerk of the Crawford County District Court, Mulberry Department, Mulberry, Crawford County, Arkansas.

SECTION 4: All fines collected on behalf of the City of Dyer by the Crawford County District Court Clerk Mulberry Department shall be divided with fifteen percent (15%) to the City of Mulberry District Court Fund for use by the City of Mulberry in its

sole discretion as permitted by law and with the remaining eighty-five (85%) to the City of Dyer for its use in its sole discretion as permitted by law.

SECTION 5: There shall be assessed and collected a fifty dollar (\$50.00) warrant fee, with respect to issuance of warrants by the Mulberry Department of the Crawford County District Court, Mulberry, Arkansas with respect to matters in which the City of Dyer, Arkansas, is the Plaintiff, payable to the Mulberry Department of the Crawford County District Court of Mulberry, Crawford County, Arkansas, for the benefit of the City of Dyer, Arkansas, and proper disbursements, in cases of, or relating to, traffic and misdemeanor matters.

SECTION 6: In the event of probation, there shall be charged a \$20.00 per month probation fee, to be administered by the Mulberry Clerk of the Mulberry Department of the Crawford County District Court of Mulberry, Crawford County, Arkansas, in the same manner as that of the City of Mulberry, Arkansas.

SECTION 7: In the event of installment or time payments of fines and costs, there shall be added thereto a fee after the first month of five dollars (\$5.00) per month, one-half (½) of which shall be paid to the Mulberry Department of the Crawford County District Court, and one-half (½) to the Court Technology Trust on behalf of the City of Dyer, Arkansas, to be used by the Mulberry Department of the Crawford County District Court, Arkansas for court technology.

SECTION 8: In the event that a person against whom fines are assessed is unable to pay those fines, the District Court may order community service to the entity to which fines are due, and the Mayor of Dyer shall keep the Mulberry Department of the Crawford County District Court apprised of the person and location designated to whom individuals shall report to perform community service due the City of Dyer.

SECTION 9: The Dyer Police Department shall turn in completed ticket books to the Clerk of the Mulberry Department of the Crawford County District Court, each calendar year quarter, or at such other times as the clerk may request.

SECTION 10: The Mayor of Dyer, Arkansas, shall contract for and is hereby directed to execute the necessary documents for payment of jail fees and other expenses necessary to incarcerate prisoners of the City of Dyer with the Crawford County Sheriff or such other entities as may be permitted under state law.

SECTION 11: The Dyer Police Department shall be responsible for transportation of prisoners to and from their place of incarceration for legal proceedings; however, the City of Dyer may contract with other entities, particularly those entities providing jail services to the city, to provide for the necessary transportation as may be required.

SECTION 12: The Mayor is hereby authorized to negotiate and enter into such additional agreements with the City of Mulberry as may be necessary to effectuate the purposes and intent of this ordinance.

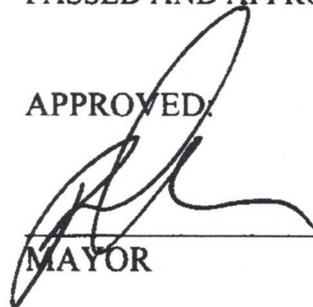
SECTION 13: All ordinances or provisions of ordinances that may be in conflict herewith are hereby repealed.

SECTION 14: If a court of competent jurisdiction shall deem any portion of this ordinance invalid or unenforceable, the remaining provisions shall remain in full force and effect.

SECTION 15: The adoption of this Ordinance is necessary for the proper and efficient administration of the Crawford County District Court acting on behalf of the City of Dyer, Arkansas, and therefore contributes directly to the safety and security of the citizenry being necessary for the operation of the Dyer Police Department, and for the preservation of the health, safety and welfare of the residents of Dyer, Arkansas; therefore an emergency is declared to exist and this ordinance shall take effect, and be in full force and effect, immediately upon its passage, approval, and publication as required by law.

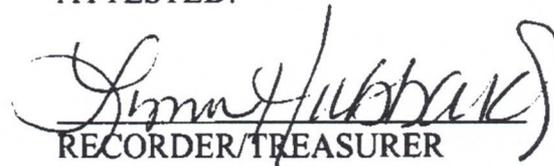
PASSED AND APPROVED THIS 26th DAY OF January, 2021.

APPROVED:



MAYOR

ATTESTED:



RECORDER/TREASURER

Ordinance No.: _____

CITY OF DYER, ARKANSAS

ORDINANCE NO. 8021-04-13-01

AN ORDINANCE ESTABLISHING VARIOUS POLICIES AND PROCEDURES OF THE DYER, ARKANSAS WATER DEPARTMENT AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer owns and operates water distribution and pumping facilities; and

WHEREAS, the City Council acknowledges that specific policies and procedures should be adopted to provide fair and equitable treatment of water customers.

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

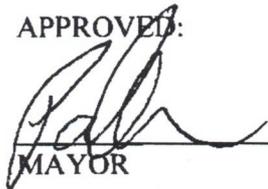
SECTION 1: The following policies and procedures shall govern the operation of the Dyer Water Department; said policies and procedures are attached hereto as Exhibit A.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the need to adopt uniform water policies applicable to all customers to facilitate their fair and equitable treatment. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 13 DAY OF April, 2021.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

EXHIBIT A
To Ordinance 2021-4-13-21

\$850.00 water tap fee plus \$150.00 meter deposit for ¾" water service

\$1,350.00 water tap fee plus \$150.00 meter deposit for 1" water service

Larger water service must be approved by the Dyer City Council

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2021-4-13-2

AN ORDINANCE REPEALING ORDINANCE NO. 2019-11-26-1,
DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer, Arkansas, passed an ordinance calling for a special election on the question of annexation;

WHEREAS, the City of Dyer has been named in litigation from landowners located within the proposed annexation area;

WHEREAS, the City of Dyer sought to complete the annexation prior to the deadline for the 2020 census;

WHEREAS, with the pending litigation, even if the City of Dyer should prevail in the litigation, it would prevent the annexation from being counted in the 2020 census; and

WHEREAS, with the litigation and the census deadline passing, it does not make fiscal sense to proceed with the expense of litigation;

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

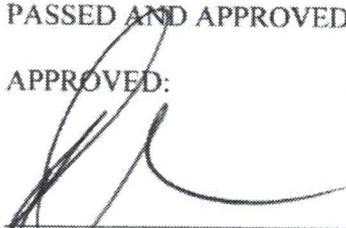
SECTION 1: Ordinance No.: 2019-11-26-1 is hereby repealed.

SECTION 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to reflect the new rates and charges set out above.

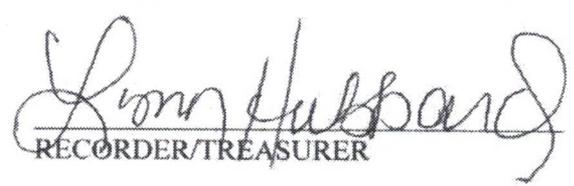
SECTION 3: Emergency Clause. This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because the existing ordinance will create a significant financial burden upon the city without the expected gains from increased census count such that the financial condition of the City would be negatively impacted reducing the ability of the City to provide essential services to the citizens of Dyer such that an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 13 DAY OF April 2021.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2021-04-20-1

A RESOLUTION APPROVING THE SETTLEMENT AND CONSENT DECREE FOR RESOLVING THE OUTSTANDING CONTROVERSIES AND LITIGATION INVOLVING THE CITY AND MIKE AND BRENDA MORRELL.

WHEREAS, litigation is currently pending wherein the City of Dyer is a Defendant facing potential monetary liability and other costs;

WHEREAS, the City Council believes that it is in the best interests of the citizens of Dyer to resolve and settle the dispute;

WHEREAS, after intense scrutiny and due diligence including a lengthy special meeting involving the city council and the Plaintiffs the City Council desires to settle the litigation on negotiated terms;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

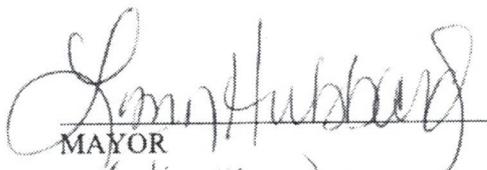
SECTION 1: After intense scrutiny, careful consideration, and due diligence, it is the opinion of the majority of the City Council of Dyer, Arkansas, that the attached Consent Decree (*attached Exhibit A*) shall be duly adopted and approved for submission to the Crawford County Circuit Court.

SECTION 2: The Dyer City Council hereby authorizes and directs the City Attorney, Mayor, and Recorder/Treasurer to execute any additional documents and take any additional actions necessary to implement the consent decree and fully resolve the pending litigation.

PASSED AND APPROVED THIS 20TH DAY OF APRIL 2021.

APPROVED:

ATTESTED:


MAYOR
(acting Mayor)


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2021-04-27-01

**AN ORDINANCE REPEALING A SECTION OF ORDINANCE NO. 2019-12-10-01
AND FOR OTHER RELATED PURPOSES.**

WHEREAS, the City of Dyer, Arkansas, passed an ordinance setting water rates for customers of the Dyer City Water System and other related purposes.

WHEREAS, litigation ensued regarding the water rate ordinance.

WHEREAS, the City council has negotiated and reached a settlement agreement for litigation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DYER,
ARKANSAS, AS FOLLOWS:**

SECTION 1: Section 3 of Ordinance 2019-12-10-01 is hereby repealed.

SECTION 2: Emergency Clause. This ordinance is settling a lawsuit and deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because the existing ordinance has and will continue to create a significant burden upon the City through increased litigation and administration costs creating a financial burden. These burdens have negatively impacted the City reducing its ability to provide consistent and reliable public services to its citizens such that an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

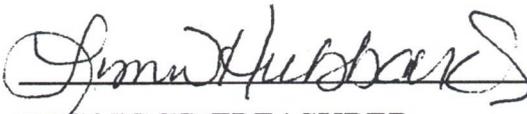
PASSED AND APPROVED THIS 27 DAY OF APRIL 2021.

APPROVED:



MAYOR

ATTESTED:



RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 5-11-2021-1

AN ORDINANCE ESTABLISHING VARIOUS POLICIES AND PROCEDURES OF THE DYER, ARKANSAS WATER DEPARTMENT AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer owns and operates sanitary sewer collection and pumping facilities; and

WHEREAS, the City Council acknowledges that specific policies and procedures should be adopted to provide fair and equitable treatment of sewer customers; and

WHEREAS, the City of Dyer has held a public hearing after the initial presentation of an ordinance proposing a sewer tap fee change; and

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

SECTION 1: The following policies and procedures shall govern the operation of the Dyer Water Department:

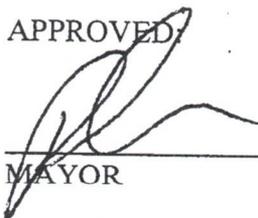
The sanitary sewer tap fee shall be five hundred dollars (\$500.00).

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because of the need to adopt uniform water and sewer policies applicable to all customers to facilitate their fair and equitable treatment as well as to ensure sufficient funds to operate a lawful and compliant sanitary sewer system. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 11th DAY OF May, 2021.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2021-07-21-01

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR DYER, ARKANSAS; REPEALING CONFLICTING PROVISIONS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: Upon the recommendation of the Planning Commission, and in order to provide a choice of housing types within the city and to expand housing choices for all families; to maintain efficiency and economy in the process of development by encouraging infill development with medium housing densities; and to encourage the appropriate and best use of land by placing uniform size and appearance guidelines on new housing placements the following changes shall be made to the ordinance and all conflicting ordinance provisions or any other conflicting ordinances are hereby repealed.

SECTION 2: The following subsections shall be amended in the existing ordinance:

Article V Section 1 1. j. A conditional use authorization for a Mobile Home that meets the requirements of Article VI. Section 4

Article VI Section 4 Mobile Home Conditional Use Permit

1. Persons seeking to replace an existing or damaged mobile home within an R-1 District shall file an application with Planning Commission and pay a fee of \$25.00 to the City Treasurer to cover the cost of related expenses.
2. The City Building Official or other such person as may be designated by the Mayor shall ensure that no certificate of occupancy shall be issued or city operated utilities shall be connected unless and until the following conditions are satisfied:
 - a. The proposed installation shall replace an existing mobile home.
 - b. All other requirements of R-1 Districts pertaining to lot area, yards, width, height, and parking;
 - c. That no objectionable characteristics will be created or otherwise caused to exist by the proposed installation;

- d. The proposed installation is compatible with and will not adversely affect other property in the area where it is proposed to be located;
- e. All units constructed in or set up in this district, whether by new construction, addition to an existing unit, placement or combination of multiple homes, shall have a minimum dimension on each side of at least fourteen (14) feet.
- f. All units constructed or set up in this district with a crawl space shall have continuous masonry underpinning around said crawl space.
- g. All units constructed or set up in this district shall have the front door oriented toward the front yard unless approved as a planned unit development.
- h. All units constructed or set up in this district that do not have a built-in porch as part of the structure, shall have a covered front landing accessible by stairs and handrails if necessary. The landing shall be at least six feet by six feet, and shall be oriented to the front yard.
- i. All units constructed or set up in this district shall have a gravel drive and parking area capable of meeting the parking requirements of this zone.
- j. All units constructed in this district shall have foundation systems that meet the City's building code, or in the case of mobile homes be anchored in accordance with the manufacturer's instructions or the regulations of the Arkansas Manufactured Home Commission.
- k. All transport elements shall be removed.
- l. All units moved into this district from off site shall be new and under warranty or inspected by the city's code enforcement officer prior to being moved on site to ensure compliance with the following standards.
 - (1) All roofing material shall be secure without gaps or damaged shingles;
 - (2) All windows shall be operative without broken panes or damaged trim or screening;
 - (3) All exterior siding shall be in place and undamaged. No dented, torn, burned, loose, or mildewed siding shall be allowed;
 - (4) All kitchen and bathroom facilities shall be fully operational and all mechanical equipment shall be in good working order;
 - (5) Any attached gutters shall be secure and functional;
 - (6) All cornice materials shall be in place and undamaged;
 - (7) Paint shall be uniform and unblemished;

- (8) Doors shall be plumb and fully operational; No damaged screening or door fixtures shall be allowed;
- (9) All flooring shall be structurally undamaged, and secure. Holes in flooring, or flooring that is missing, dented, broken, or in a state of damage or decay will not be allowed.
- 1. Upon approval of the application by the City of Dyer, a certificate of occupancy shall also be applied for by the applicant under the procedure contained in Article VII Section 2 3.

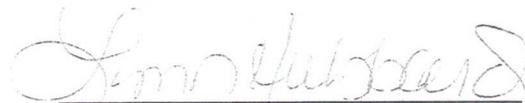
SECTION 3: All ordinances or provisions of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because a number of families are currently without housing due to a lack of housing opportunities that this ordinance creates. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 31 DAY OF July, 2021.



MAYOR



CLERK
Recorder Treasurer

CERTIFICATION OF POSTING

Under penalty of perjury, I, Tom Hubbs, the Recorder/Treasurer of Dyer, Arkansas hereby certify that Ordinance 2021-07-21-01 was duly posted in the following most public places in the municipality including but not limited to the following locations on the date subscribed below:

Locations:

- City Hall
- Police Station
- Post Office
- Fire Station
- Library

Tom Hubbs
Recorder/Treasurer

7/21/21
Date

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2021-11-08-1

AN RESOLUTION FOR THE CITY OF DYER LEVYING A TAX FOR GENERAL MUNICIPAL PURPOSES FOR THE YEAR 2021 AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer, Arkansas, is a duly incorporated city of the second class pursuant to the laws of the State of Arkansas;

WHEREAS, the City of Dyer must have funds to operate the city and provide city services to its citizens, and can only obtain the necessary funding by levying a 5 mill tax on personal property and a 5 mill tax on real estate for the general municipal purposes of the city;

WHEREAS, the City of Dyer has levied a tax in the past at this same amount, kind, and purpose such that this resolution does not cause any change in circumstance to any citizens; and

WHEREAS, the need to fund the city government is immediate so that there is no lapse in services to the citizens such as police protection;

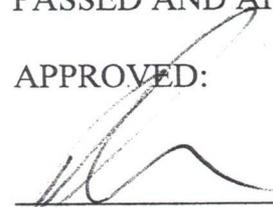
THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: The City of Dyer shall levy a tax pursuant to the Arkansas Constitution as amended for general municipal purposes for the year 2021 on all taxable real and personal property in the City of Dyer, Arkansas, fixed at a rate of 5 mills on personal property and 5 mills on real property on the dollar of the assessed valuation of all real and personal property subject to taxation in the City of Dyer, Arkansas.

SECTION 2: A certified copy of this resolution once adopted shall be furnished to the County Clerk of Crawford County, Arkansas, such that the Quorum Court of Crawford County, Arkansas, may include this levy in the general levy for the year 2021 and cause the same to be entered upon the tax books and collected as required by law.

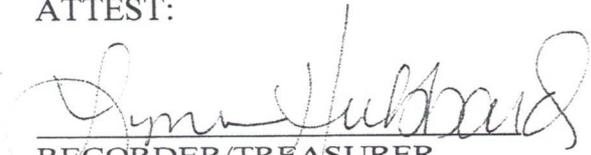
PASSED AND APPROVED THIS 8 DAY OF NOVEMBER 2021.

APPROVED:



MAYOR

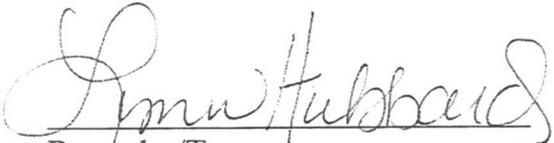
ATTEST:



RECORDER/TREASURER

CERTIFICATION

I, the City Recorder/Treasurer of Dyer, Arkansas, certify that the foregoing resolution was passed by a vote of 5 to 0 by the City Council of Dyer, Arkansas, at its meeting held on November 8, 2021, such that the resolution was duly adopted and approved.



Recorder/Treasurer