CITY OF MULBERRY, ARKANSAS

ORDINANCE NO. 2022-03

AN ORDINANCE ESTABLISHING THE FINES/PENALTIES FOR OPERATING COMBUSTIBLE FUEL MOTORS/ENGINES ON T.J. HOUSE RESERVOIR, AMENDING CONFLICTING ORDINANCES, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Mulberry upon the recommendation of the Mayor and Public Works Department deems it advisable to update its ordinances regarding the operation of combustible fuel engines/motors on the T.J. House Reservoir in order to protect the drinking water of the City and its residents;

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

SECTION 1: Ordinance 2015-04 shall be amended to insert Section 10: as follows:

Section 10: Any person, firm, corporation, or other entity in violation of any provision of this ordinance concerning the use of combustible fuel motors or engines on or in the T.J. House Reservoir shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred fifty dollars ($150.00) nor more than one thousand dollars ($1,000.00) for each separate offense. The fine for subsequent offenses shall be increased each time. In addition to a fine, the Court may impose additional conditions e.g. banning from use of the lake for certain periods.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any court of competent jurisdiction shall deem any clause, section, phrase, or other portion of this ordinance illegal or unenforceable, the remainder of this ordinance shall remain in full force and effect.

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 Mulberry, Arkansas, because of the current hazard of combustible fuels causing harm to the drinking water source of the City of Mulberry. 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 16th DAY OF August 2022.

APPROVED:

MAYOR

ATTESTED:

RECORDER/TREASURER