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ORDINANCE NO. O-00-164

AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE TO EXEMPT HORIZONTAL PROPERTY REGIMES FROM THE APPLICATION OF THE ORDINANCE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

Whereas, it is desirable to allow ownership of separate apartments within the same building after the establishment of horizontal property regimes, and;

Whereas, the current language within the Conway Subdivision Ordinance creates difficulties in the establishment of horizontal property regimes and separate property ownerships;

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

Section 1: That the list of forms of land subdivision to which the Subdivision Ordinance is to apply, as noted in **ARTICLE 1, GENERAL PROVISIONS, SECTION 3. JURISDICTION** of the Subdivision Ordinance for the City of Conway as adopted by Ordinance No. 0-00-03 on January 25, 2000 is hereby amended to add (5), which shall read as follows:

“(5) *Exception: These regulations and development standards shall **not** apply to any horizontal property regime within any lot ~~for~~ which the same documentation as required by state statute to be filed with the county for the establishment of that horizontal property regime shall have been filed with the City of Conway and where all buildings within that lot shall have been built to meet the fire separation requirements of the City of Conway between apartments as defined in the Horizontal Property Act of the State of Arkansas.*”

Section 2: That all ordinances in conflict herein are hereby repealed to the extent of that conflict.

Section 3: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect ~~from~~ and after its passage and approval.

PASSED this 28th day of December, 2000.

APPROVED:



Mayor Tab Townsell

ATTEST:



City Clerk Michael O. Garrett