

ORDINANCE NO. 2104

AN ORDINANCE AMENDING CHAPTER 7 OF THE EUREKA SPRINGS
MUNICIPAL CODE AND DECLARING AN EMERGENCY TO EXIST

Whereas the City Council of Eureka Springs AR, believes it to be in the best interest of the City,
And whereas conflicts appear in the plain language of the Code as now written;

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

Section 1. That Chapter 7 of the Municipal Code of the City of Eureka Springs, Arkansas, is
hereby amended.

Section 2. That Section 7.16.04A is hereby amended in its entirety to read:

No person shall operate or allow to be operated any loudspeaker, sound amplifier or similar
device from which sound emanates out-of-doors in a commercially zoned area, with the
exception of those businesses having a restaurant license, permitted outdoor seating and an
amplified sound permit, or be an officially recognized festival or special event with a permit as
authorized by Section 7.16.07. However, amplified sound emanating from permitted businesses
will not exceed 65 dB and 85 dB for officially recognized festivals or special events as measured
by an SLM.

Section 3. That Section 7.16.06 shall be amended by the addition of the phrase „Äö√Ñ√/ unless
otherwise permitted by this Chapter,Äö√Ñ√/π at the end of the sentence.

Section 4. That Section 7.16.07E is hereby amended by the addition of the phrase „Äö√Ñ√/ for
special events,Äö√Ñ√/π after the word „Äö√Ñ√/ festivals,Äö√Ñ√/π and the removal of the phrase
„Äö√Ñ√/ sponsored by the city,Äö√Ñ√/π.

Section 5. That provisions of this ordinance are hereby declared to be separable and if any
provision shall for any reason be held illegal or invalid, such holding shall not affect the validity
of the remainder of this ordinance.

Section 6. All ordinances and resolutions or parts thereof, in conflict herewith are hereby
repealed to the extent of such conflict.

EMERGENCY CLAUSE

Section 7. Whereas time is of the essence due to the pending festivals and special events in
order to protect the economic health, safety and welfare of the people of the City of Eureka
Springs, Arkansas, and emergency is hereby declared to exist and this ordinance shall become
effective upon its passage by the City Council of Eureka Springs, Arkansas, and upon affixing
the signature of the City Clerk and the Mayor of the City of Eureka Springs, Arkansas.

PASSED AND APPROVED THIS 18TH DAY OF MAY, 2009.

APPROVED:

ATTEST:

Mayor Dani Joy

City Clerk-Treasurer Mary Jean Sell CMC