

ORDINANCE NO. OR-800

AN ORDINANCE AMENDING CHAPTER 6 OF MONTICELLO CITY CODE, CONCERNING AVIATION; RENAMING ARTICLE III THE FEDERAL AIRPORT HEIGHT RESTRICTION COMPLIANCE ORDINANCE; DISSOLVING THE BOARD OR ADJUSTMENT; AND PLACING SAID AUTHORITY TO THE CITY COUNCIL.

WHEREAS, in 1979 the City Council of Monticello, Arkansas adopted the Ordinance 557, the Monticello Municipal Airport Zoning Ordinance, to comply with requirements of the Federal Aviation Administration related to compliance with federal airport height restrictions; and

WHEREAS, since 1979 the enforcement of the provisions of said ordinance have waned upon lack of federal enforcement, the expirations of the terms of the board of adjustment, and change in mayors over time; and

WHEREAS, on August 18, 2015, the Federal Aviation Administration's Directors of Airport Safety and Standards, Airport Planning and Programming, and Airport Compliance sent a joint memorandum stressing the agencies renewed focus on enforcement of federal airport height restrictions of all airports receiving federal grant funds; and

WHEREAS, the City Council of Monticello, Arkansas acknowledges that its municipal airport, located on Airport Road in Monticello, Arkansas, is currently receiving federal grant

funds from the Federal Aviation Administration and acknowledges the City must comply with federal airport height restrictions established by the Federal Aviation Administration and outlined in the Ordinance 557, also reference to as Monticello City Code § 6-43 *seq*; and

WHEREAS, the City Council of Monticello, Arkansas has identified several changes that must be made to Monticello City Code to better enable the City to enforce and comply with federal airport height restrictions around its municipal airport in 2016, and beyond.

NOW THEREFOR BE IT ORDAINED, by the City Council of the Monticello, Arkansas, that Chapter 6 of Monticello City Code, concerning aviation, is amended as follows:

1. In § 6-43, strike the phrase "Monticello Municipal Airport Zoning Ordinance" and replace it with the phrase "Federal Airport Height Restriction Compliance Ordinance;" and

2. Repeal § 6-44(5) in its entirety; and

3. In §6-49(d), strike the phrase "board of adjustment" where it may appear and replace it with the phrase "City Council;" and

4. In §6-50(e), strike the phrase "board of adjustment" where it may appear and replace it with the phrase "City Council;" and

5. In §6-49(e), strike the phrase "board of adjustment" where it may appear and replace it with the phrase "City Council;" and

6. Repeal § 6-51 in its entirety; and

7. In § 6-52, strike the phrase "board of adjustment" where it may appear and replace it with the phrase "City Council:" and

SEVERABILITY CLAUSE

BE IT ALSO ORDAINED, by the City Council of the Monticello, Arkansas, that:

If any of the provisions of the ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given effect without the invalid provisions or application, and to this end, the provisions of this ordinance are declares to be severable.

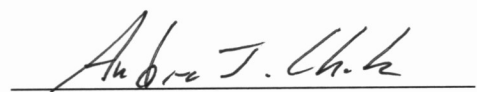
(End of Ordinance)

ADOPTED on this 17 day of November, 2015.



Mayor

ATTEST:



City Clerk