

As amended 2/8/16

ORDINANCE NO. 2236

**AN ORDINANCE AMENDING TITLE 14 OF THE EUREKA SPRINGS
MUNICIPAL CODE TO CLARIFY HOME OCCUPATION
BUSINESS LOCATIONS**

WHEREAS, the City Council of the City of Eureka Springs desires to better codify its regulation of the location of Home Occupation businesses within the City;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eureka Springs that Subsection 14 of the Municipal Code be amended as follows:

SECTION 1. Subsection 14.08.01 District R-1 Victorian Residential paragraph B shall be amended to read as follows:

B. Permitted uses -- Following is a list of uses in R-1 Victorian Residential district permitted by right:

Dwelling, single family Dwelling, two-family Public use
Home occupation requiring no coming and going of the general public and no overnight street parking of construction trailers or other business-related vehicles including, but not limited to, mowers, mixers, and dirt removal equipment

SECTION 2. Subsection 14.08.01 District R-1 Victorian Residential paragraph C (2) **Conditional uses** shall be amended by adding the following:

Home occupation involving access by the General Public

SECTION 3. Subsection 14.08.01 District R-2 Contemporary Residential paragraph B shall be amended to read as follows:

B. Permitted uses -- Following is a list of uses in R-2 Contemporary Residential district permitted by right:

Dwelling, single family Dwelling, two-family Public use
Home occupation requiring no coming and going of the general public and no overnight street parking of construction trailers or other business-related vehicles including, but not limited to, mowers, mixers, and dirt removal equipment

SECTION 4. Subsection 14.08.01 District R-2 Contemporary Residential paragraph C **Conditional uses** shall be amended by adding the following:

Home occupation involving access by the General Public

SECTION 5. Subsection 14.08.01 District R-3 Multiple-family Residential paragraph B shall be amended to read as follows:

B. Permitted uses -- Following is a list of uses in R-3 Multiple-family Residential district permitted by right:

Community service center

Dwelling, single family

Dwelling, two-family

Dwelling, multiple-family

Education

Public use

Home occupation requiring no coming and going of the general public and no overnight street parking of construction trailers or other business-related vehicles including, but not limited to, mowers, mixers, and dirt removal equipment

SECTION 6. Subsection 14.08.01 District R-3 Multiple-family Residential paragraph C **Conditional uses** shall be amended by adding the following:

Home occupation involving access by the General Public

SECTION 7. Subsection 14.08.03 shall be amended to the following:

Home Occupations involving access by the General Public – A business license shall be required for all new home occupations involving access by the General Public.

SECTION 8. Subsection 14.08.03 (I) (3) shall be amended to read as follows:

3. One (1) unanimated, non-illuminated identification sign of up to two (2) square feet in size may be displayed flat against the wall or door of the residence. No other external evidence of the operation is allowed.

SECTION 9. All provisions of the ordinances of Eureka Springs in conflict with the provisions of this ordinance are hereby repealed and all other provisions of the ordinances of Eureka Springs not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 10. Severability Clause: Should any sentence, paragraph, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Eureka Springs Municipal Code as a whole.

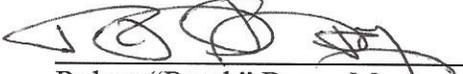
**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA
SPRINGS, ARKANSAS, ON THE 22nd DAY OF FEBRUARY, 2016**

ATTEST:



Ann Armstrong, City Clerk/Treasurer

APPROVED:



Robert "Butch" Berry, Mayor

All present voted "Aye" – David Mitchell, Joyce Zeller, Mickey Schneider, James DeVito, and
Terry McClung