

**ORDINANCE NO. 2010-12**

**AN ORDINANCE PROHIBITING THE UNAUTHORIZED POSSESSION OR DESTRUCTION, THEFT, UNAUTHORIZED REMOVAL OR DAMAGE TO STREET SIGNS AND 911 ROAD SIGNS LOCATED IN THE CITY OF CHEROKEE VILLAGE AND OTHER MATTERS; PROVIDING A PENALTY FOR VIOLATION; DECLARING AN EMERGENCY TO EXIST; AND OTHER PURPOSES**

**WHEREAS**, the City Council of the City of Cherokee Village, Arkansas, has determined that the destruction, unauthorized removal, theft, damage to and unauthorized possession of the street signs and 911 road signs in the corporate limits of the City presents a serious threat to the health and safety of the citizens of the City and all users of its streets and roads; and

**WHEREAS**, emergency response personnel are hindered in the performance of their official duties by the destruction, unauthorized removal, theft, damage to and unauthorized possession of the street signs and 911 road signs in the corporate limits of the City, thereby endangering the health and safety of the citizens and visitors to the City; and

**WHEREAS**, the City of Cherokee Village, Arkansas, suffers a monetary loss with each instance of the destruction, unauthorized removal, theft, damage to and unauthorized possession of the street signs and 911 road signs in the corporate limits of the City when the City has to replace such destroyed, damaged or stolen signs.

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Cherokee Village, Sharp and Fulton Counties, Arkansas:

**SECTION 1:** It shall be unlawful for any person, firm or corporation to destroy, remove, damage, steal or have in his/her/its possession any street sign or 911 road sign that was installed in Cherokee Village, Arkansas.

**SECTION 2:** Any person, firm or corporation found to be in violation of this Ordinance shall be guilty of a violation and subject to a fine not exceeding \$1,000.00 (one thousand dollars).

**SECTION 3:** Any person, firm or corporation found to be in violation of this Ordinance shall also be subject to an order of restitution for the costs to the City in replacing the street sign and/or 911 road sign damaged, removed, destroyed or stolen.

**SECTION 4:** If any clause, sentence, paragraph, section or part of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remaining portions hereof, but shall be confined to the clause sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 5:** All ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**EMERGENCY CLAUSE:** This Ordinance being necessary for the preservation of the public peace, health, comfort, convenience, morals, safety and welfare of the City of Cherokee Village, Arkansas, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage, approval and publication.

**PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.**

**DATE:** 7-15-2010

**APPROVED:**   
Lloyd Hefley, Mayor

**ATTEST:**   
Phyllis J. Endrihs, Clerk/Treasurer