

TOWN OF GILBERT

ORDINANCE NO. 1-2011

AN ORDINANCE TO ESTABLISH THE ANNUAL OPERATING BUDGET FOR
CALENDAR YEAR 2011

BE IT ORDAINED BY THE TOWN COUNCIL OF THE INCORPORATED TOWN
OF GILBERT, ARKANSAS:

SECTION 1. The annual budget for calendar year 2011
identified as "Town of Gilbert BUDGET for 2011" is hereby
adopted by reference. A copy of said Budget shall be filed in
the Office of the Town Recorder/Treasurer and shall be available
for inspection by any person during normal office hours.

SECTION 2. EXPENDITURE CATEGORIES. Expenditure of funds
appropriated by this Ordinance shall be restricted to the
line item amounts under each major category.

SECTION 3. TRANSFERS. Any transfer of moneys between the
General Fund, Street Fund or the major categories under these
funds shall be made only with prior approval of the Gilbert
Town Council.

SECTION 4. If any provision or section of this Ordinance is
held invalid by a court of competent jurisdiction, such
invalidity shall not effect other provisions of this Ordinance.

SECTION 5. This Ordinance being necessary for the protection and
preservation of public health and safety, an emergency is
hereby declared to exist and this Ordinance shall be in force
and take effect upon passage and publication.

APPROVED

Walter Norwood
Mayor

Dated: 1-17-11

ATTEST

William M. Kilman
Recorder/Treasurer

TOWN OF GILBERT ORDINANCE NO. 02-2011

AN ORDINANCE RESTRICTING TO NON-VEHICULAR TRAFFIC THAT PORTION OF HILL STREET LYING EAST OF MAY STREET TO SPRING STREET AND THE ALLEY LYING NORTH AND SOUTH IN THE CENTER OF BLOCK ONE.

WHEREAS, Jim and Dawn Clontz, jointly as Husband and Wife operating as Clontz Enterprises Inc., d/b/a Gilbert R. V. Campground, own all of the property abutting Hill Street lying between May Street and Spring Street, and also the property abutting the platted alley running north/south in Block One in the Town of Gilbert plat; and

WHEREAS, in order to satisfy certain requirements for on site waste and water absorption or disposal field the State of Arkansas Department of Health says is necessary to implement the proposed business plan, the restriction of the use of those portions of Hill Street and the Alley in Block One is imperative.

NOW, THEREFORE, be it ordained by the Town Council of the Incorporated Town of Gilbert, Arkansas:

Section 1: That portion of Hill Street lying between May Street and Spring Street, and also that portion of the platted alley running north/south in Block One in the Town of Gilbert, shall hereby be restricted to non-vehicular traffic and use.

Section 2. To assure the Arkansas State Department of Health that the septic system leach field will be protected from vehicular traffic, and so long as Jim and Dawn Clontz, jointly as Husband and Wife operating as Clontz Enterprises Inc., d/b/a Gilbert R.V. Campground, and for that purpose only, shall accept and remain in compliance with and abide with the terms of Resolution No. 02-2011 which granted a franchise to Clontz for the use of that portion of Hill Street and the Alley located in Block One for a septic system leach field as described in the Resolution, this Ordinance shall remain in full force and effect; a copy of Resolution No. 02-2011 is attached hereto as **Exhibit A**.

Section 3: Repealer

All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4: Severability

In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordinance.

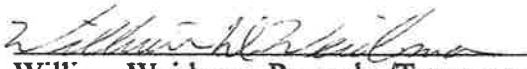
Section 5: Emergency

This Ordinance being necessary for the protection and preservation of public health and safety, an emergency is declared to exist and this Ordinance shall be in force and take effect upon passage and publication.

PASSED this 16th day of May, 2011.

ATTEST:

APPROVED:


William Weidman, Recorder/Treasurer


Mayor Mitch Mortvedt

TOWN OF GILBERT RESOLUTION NO. 02-2011

A RESOLUTION GRANTING FRANCHISE TO JIM AND DAWN CLONTZ

WHEREAS, on the Town Council of the Town of Gilbert, Arkansas passed Ordinance No. 02-2011 to restrict to non-vehicular use that portion of Hill Street lying east of May Street to Spring Street and a certain Alley that runs North to South in the center of Block One; and

WHEREAS, Jim and Dawn Clontz, jointly as Husband and Wife operating as Clontz Enterprises Inc., (hereinafter called "Clontz") own all of the property in Block One, and Seven abutting said portion of Hill Street and Alley; and

WHEREAS, Jim and Dawn Clontz have agreed that no camper may stay at Gilbert R.V. Campground for more than fourteen days in a thirty day period; and

WHEREAS, this Franchise (the "Clontz Franchise") is granted for the sole purpose of allowing Clontz to construct and maintain a septic system leach field for the Gilbert R.V. Campground within the right-of-way of Hill Street and the Alley as stated herein; and

WHEREAS any other use of described property that is not directly related to the normal operations of the R. V. Campground shall be considered a violation of the Clontz Franchise and may be subject to termination by the Town Council, and no other use of the street and alley referenced herein shall be permitted without a separate franchise expressly approved by the Town Council; and

WHEREAS; Clontz shall maintain the surface of the street and alley and the Campground in a clean and orderly condition and shall keep the area mowed and free of litter and debris; and

WHEREAS, this Clontz Franchise shall continue so long as the terms and conditions are met and the use is in compliance with applicable state and local laws and regulations; and

WHEREAS, Clontz agrees to pay to the Town of Gilbert the sum of \$ 25.00 per year for this Franchise.

NOW, THEREFORE, be it resolved by the Town Council of Gilbert, Arkansas:

Section 1. This Resolution of the Town Council is adopted for the purposes stated herein; it is granted exclusively to Jim and Dawn Clontz to operate Gilbert R. V. Campground, to use that portion of Hill Street East of May to Spring Street and that certain Alley that runs North to South in the center of Block One for the sole purpose of developing and maintaining a septic system leach field for the campground.

Section 2. So long as all conditions and agreements set forth in this Resolution are maintained in compliance with the Clontz Franchise, this franchise and Ordinance No. 02-2011 restricting the use of said portion of Hill Street and said Alley in the center of Block One to non-vehicular use only shall remain in full force and effect.

Adopted this 16th day of May, 2011.

TOWN OF GILBERT

By: Mitch Mortvedt
Mitch Mortvedt, Mayor

Attest:

William Weidman
William Weidman, Recorder/Treasurer

TOWN OF GILBERT

ORDINANCE NO. 3-2011

AMENDED

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APPROVED

W. H. H. H. H.
Mayor

Dated: 12-19-11

ATTEST

William M. Wilson
Recorder/Treasurer