

**ORDINANCE NO. 2016-\_\_\_\_\_**

**CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS**

**AN ORDINANCE ADOPTING THE STORM WATER POLLUTION PREVENTION, GRADING, AND EROSION CONTROL BEST MANAGEMENT PRACTICES (BMP) MANUAL OF THE CITY OF CAVE SPRINGS, SETTING FORTH THE POWERS AND DUTIES THEREOF, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Cave Springs, Arkansas believed it to be in the best interest of the citizens of the City to enact provisions governing grading, sediment and erosion control and the prevention of storm water pollution within a Best Management Practices (BMP) Manual pursuant to Ordinance 2012-09 Planning & Zoning Regulations of Cave Springs, *Article 10. General Standard, Section 10.12 Drainage and Storm Water Management* and the enacted Storm Water Management Program for Small Municipal Separate Sewer Systems (MS4) of Cave Springs prepared by McClelland Consulting Engineers, Inc. July 2013;

**WHEREAS**, having fully reviewed the Storm Water Pollution Prevention, Grading and Erosion Control Best Management Practices (BMP) Manual, the Cave Springs City Council has determined that the Adoption of Title 16 The Storm Water Pollution Prevention, Grading and Erosion Control Best Management Practices (BMP) of the Cave Springs Municipal Code should be adopted in its entirety, as set forth herein below.

**NOW, THEREFORE, BE IN ENACTED AND ORDAINED** that they City Council of Cave Springs does hereby adopt the Storm Water pollution Prevention, Grading and Erosion Control Best Management Practices (BMP) Manual by reference for the City of Cave Springs, Benton County, Arkansas as follows:

**SECTION 1.** That a certain document, three (3) copies of which are on file in the office of the City Recorder/Treasurer of the City of Cave Springs, for inspection and view by the public, and being marked and designated as “the Storm Water Pollution Prevention, Grading and Erosion Control Best Management (BMP) Manual” and is hereby adopted by reference and each and all of the regulations, provisions, penalties, conditions and terms of said document are hereby referred to, adopted, and made a part of the hereof, as if fully set out in this ordinance.

**SECTION 2.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 3.** That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

**SECTION 4. Declaration of Emergency.** It is hereby found and determined that the Storm Water Pollution Prevention, Grading and Erosion Control Best Management (BMP) Manual of the Cave Springs Municipal Code should be immediately adopted in the best interest

of the citizens of Cave Springs to enact provisions governing grading, sediment and erosion control and prevention of storm water pollution the City of Cave Springs. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Travis Lee, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Hutcheson, City Recorder/Treasurer

(SEAL)