

ORDINANCE NO. 2021 - 26

AN ORDINANCE AMENDING THE SEARCY CODE OF ORDINANCES; PROVIDING FOR REVISIONS TO PROVISIONS RELATED TO PRIVATE CLUBS UPON ANNEXED LANDS; DECLARING AN EMERGENCY; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City of Searcy, Arkansas, recognizes the need to provide for the continuation of existing businesses in certain areas that may be annexed to the City limits; and

WHEREAS, the City of Searcy, Arkansas, recognizes that the State of Arkansas has an interest in the regulation of certain private clubs; and

WHEREAS, the need to provide for the continued expectations of the parties with respect to their ongoing activities constitutes, subject to approval by the City Council, an emergency. So as to provide for the continued employment of certain persons and the continued operation of lawful business activities that, as a result of this need, an emergency exists.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Searcy, Arkansas, to-wit:

Section 1. The Searcy Code of Ordinances is amended to include Section 4-5, which shall read as follows:

“Sec. 4-5. Continuation of Business Upon Annexed Lands.

In the event that certain lands become annexed to, or within, the City of Searcy and a Private Club is operating upon those lands at the time of such annexation, the provisions of the permit, license or other authorizing document issued to such Private Club by the State of Arkansas as to the hours of operation of said Private Club shall be determinative as to the hours of operation that may be permitted the City of Searcy for this Private Club, notwithstanding the provisions of this Chapter.”

Section 2. All ordinances, resolutions or other actions adopted by the City of Searcy in conflict with the provisions of this Ordinance are repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Emergency Clause. The City Council finds that in light of the need to provide for the public peace, health, safety and welfare, that an emergency exists and that this ordinance shall be in full force and effect immediately upon its passage.

PASSED AND ADOPTED this 10th day of August, 2021.

/s/ Kyle Osborne
Mayor of Searcy

ATTEST:

/s/ Jerry Morris
City Clerk