

ORDINANCE NO. 2024- 07

AN ORDINANCE AMENDING CITY OF LINCOLN ORDINANCE NO. 2022-36, AND
FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, ARKANSAS,
THAT:

Section One: Title. This Ordinance shall be known as an Ordinance Amending City of Lincoln Ordinance No. 2022-36, and for Other Purposes.

Section Two: Findings. The Lincoln City Council finds as follows:

- a. The Lincoln Community Building, also known as the Legion Hut, located on the Lincoln Square, was constructed at some point in the 1920s or 1930s.
- b. Over the years, the Lincoln Community Building has fallen into disrepair.
- c. On November 8, 2022, Engineering Consultants, Inc., of Lowell prepared a written report after inspecting the Lincoln Community Building. That inspection report detailed several structural concerns with the Lincoln Community Building and contained the following statements: "We have very little confidence in the continued structural integrity without repairs which could be significant," and "we recommend that the building not be occupied until repairs are made to the foundation, roof structure and loose stone."
- d. Based on this report, the Lincoln City Council passed Ordinance Number 2022-36, declaring the Lincoln Community Building a public hazard and closing it to the public indefinitely.
- e. The City Council has become aware of an opportunity for a movie to be produced, in part, at the Lincoln Community Building. The producers of the movie have been fully informed of the risks attendant to proceeding in the Community Building, still wish to film.

Section Three: Ordinance No. 2022-36 Amended. City of Lincoln Ordinance NO. 2022-36 is hereby amended to read as follows:

- a. Unless and until the City Council repeals this ordinance, the Lincoln Community Building on the Lincoln Square is hereby closed. Provided, however, that personnel authorized by the Mayor or his or her designated representative may enter the Building for the purposes of securing movable City property, further assessing its structure and making repairs or beginning the process of razing, as the case may be. Furthermore, the Mayor may, with the concurrence of the City Council and an authorize signature on an appropriate release, said release to be reviewed and approved by the City Attorney, authorize the use of the Community Building on a temporary basis for scientific, artistic, archeological, historic or academic purposes.

b. Any law enforcement officer with jurisdiction in the City of Lincoln is hereby authorized to arrest or cite any unauthorized person entering or remaining upon the premises of the Lincoln Community Building in accordance with ARK. CODE ANN. § 5-39-203.

Section Four: Effective Date. This Ordinance shall become effective from and after 91 days following its publication unless an Emergency Clause is appended.

Section Five: Repealing Clause. Ordinances or parts thereof in effect at the time that this ordinance shall take effect that are in conflict herewith, are repealed.

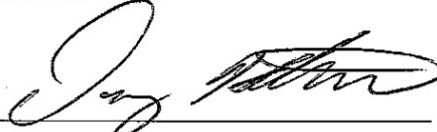
Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Section Eight: Emergency Clause. The Lincoln City Council finds and declares that the current structural state of the Lincoln Community Building presents an imminent danger to the physical health, safety and welfare of persons who are in or near it. Therefore, this matter is such pressing business that it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Lincoln, Arkansas, shall be in effect immediately upon its passage, approval, and publication.


PASSED AND APPROVED this 20th day of February, 2024.

APPROVED:



Doug Hutchens, Mayor

ATTEST:



Becky Carter, Clerk-Treasurer

