

ORDINANCE NO. 28

AN ORDINANCE REQUIRING CERTAIN SET BACK
REQUIREMENTS FOR BUILDINGS IN THE INCORPORATED
TOWN OF BERGMAN, ARKANSAS, PROVIDING A
VARIANCE PROCEDURE, ESTABLISHING PRNALTIES
AND OTHER PURPOSES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BERGMAN,
ARKANSAS:

REQUIREMENTS: That all buildings shall be set back from
street right-of-ways and lot lines to comply with the following
yard requirements, to-wit:

1. front yard-25 feet from property line;
2. side yard- minimum 10 feet from each property line except
that an open attached carport may be constructed to with-
in 5 feet of one side yard boundary;
3. side yard street- 25 feet from all street right-of-ways/
property lines;
4. rear yard- minimum 10 feet from rear property lines.

The Mayor of the Incorporated Town of Bergman, Arkansas, upon
discovery of a violation of this Ordinance shall notify said off-
ender by certified mail stating that the offender shall have five
(5) days from receipt of said letter to comply with this Ordinance.
In the event that the Mayor is unable to execute the letter then
any member of the Town Council may notify offenders as specified
herein.

VARIANCE: Should any resident of the Town of Bergman,
Arkansas, wish to apply for a variance from these requirements a
Petition shall be filed with the Town Recorder indicating the
property owners request and a hearing shall be held before the Town
Council who shall determine whether to grant the variance or not.

PENALTY: In addition to any of the remedies provided herein,
the Town may enjoin any property owner who is in violation of any of
these requirements to prevent or correct such violations, and any
individual aggrieved by violation of these requirements may seek an
injunction against any property owner in violation of the require-
ments. Any person, firm, or corporation violating any of the
provisions of these requirements or amendments thereto, shall be
guilty of a misdemeanor and be fined in any amount, not to exceed
Twenty-five (\$25.00) Dollars, and each day's violation shall be
considered a seperate offense.

IT HAS BEEN determined that this ordinance is necessary and is
vital to the health, welfare and safety of the public, therefore, an
emergency is hereby declared to exist and this ordinance shall be in
full force and effect from and after its passage and approval.

PASSED THIS 2nd DAY OF June , 1987.

TOWN OF BERGMAN, ARKANSAS
DON PATTON-MAYOR

ATTEST
DONNA DILLARD-RECORDER