

ORDINANCE NO. 482

AN ORDINANCE REPEALING AND REPLACING ORDINANCE 479 TO CHANGE THE NAME OF THE CHAFFEE CROSSING ENTERTAINMENT DISTRICT WITHIN THE CITY OF BARLING, ARKANSAS; AMENDING THE STANDARDS FOR SAID ENTERTAINMENT DISTRICT; DECLARING AN EMERGENCY HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 479 established the Chaffee Crossing Entertainment District along with its standards, rules and regulations within the City of Barling, Arkansas; and

WHEREAS, the City of Barling Board of Directors finds that it is in the best interest of the City and its residents to amend said designated entertainment district presently known as the “Chaffee Crossing Entertainment District”, along with certain standards, rules and regulations,

BE IT NOW ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT:

SECTION 1: Ordinance 479 repealed and replaced by Ordinance 482. Ordinance 479 is hereby repealed and replaced by Ordinance 482 in its entirety.

SECTION 2: Creation of the Village at Heritage Entertainment District. Pursuant to the authority granted by Act 874 of 2021, as codified at A.C.A. §14-54-1412, an entertainment district to be known as the Village at Heritage Entertainment District (“District”) is hereby created and established effective upon passage of this Ordinance within the boundaries as set forth and designated on the map that is attached hereto as Exhibit A and incorporated by reference.

SECTION 3: Regulations. The following regulations shall apply to and within the District:

(a) Restaurants, bars, and breweries within District boundaries, as well as vendors at special events within District boundaries, may serve alcoholic beverages (pursuant to all applicable laws, regulations, licensing, and permits) that may be carried out of the establishment and consumed within the designated boundaries of the District daily between the hours of 10:00 a.m. and 11:00 p.m. as long as the beverage is contained in a designated District cup or pitcher to be provided by a participating business within the District. For purposes of this Ordinance, the Arkansas Colleges of Health Education (ACHE) and its subsidiaries are to be considered members of the District;

(b) Participating businesses within the District will be required to provide wristbands verifying that the individual has shown valid identification that they are of legal age to consume alcoholic beverages. Individuals without wristbands will not be permitted to consume alcoholic beverages outside of the establishment where the beverage was purchased. Wristbands shall include the name of the establishment that verified legal age;

(c) The boundaries of the District will be designated by signage placed within the District;

(d) Waste and recycling receptacles will be placed at District boundaries and high traffic areas as needed;

(e) An informational document will be prepared showing the boundaries of the District, participating bars and restaurants, the regulations of the District, and frequently asked questions. This document will be available at Barling City Hall, the City of Barling website, its Facebook page as well as its other platforms and at participating members of the District;

(f) Participating businesses shall not allow alcoholic beverages to be removed from the premises in glass or original containers and it shall be a violation for any person to possess alcoholic beverages in glass or original containers on the streets, sidewalks, rights-of-way, and parking lots located within the District;

(g) No alcoholic beverages purchased outside the District are allowed in open containers in the District.

(h) Consumption of alcoholic beverages in a motor vehicle is prohibited. It shall be unlawful for any person to consume any alcoholic beverage while in the confines of a motor vehicle that is located upon any public street, parking lot, or other place in which the public has or is permitted to have access within the District;

(i) No person shall be permitted to leave the District with an open alcoholic beverage container. All unfinished quantities of alcoholic beverages must be properly disposed of prior to the individual leaving the District;

(j) Establishments within the boundaries of the District, including those that do not serve alcoholic beverages, shall clearly indicate their participation in the District with prominently displayed window signage. No individual possessing an alcoholic beverage shall enter an establishment that does not indicate its participation in the District. By failing to display window signage indicating participation, a business within the boundaries of the District is acknowledging that it does not allow District beverages within its premises;

(k) The Entertainment District shall create, keep, and distribute the official logos and designs for all District cups, wristbands, signage, and etcetera.

SECTION 3: Compliance With ABC & DF&A. This Ordinance does not diminish the requirements or authority of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district, including special event permits.

SECTION 4: Notice to ABC & DF&A. Pursuant to A.C.A. §14-54-1412(b)(4), the City Clerk shall, within ten (10) days from the passage of this Ordinance, provide notice of the creation of this Entertainment District to the Alcoholic Beverage Control Division of the Department of Finance and Administration.

SECTION 5: Severability Provision. If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed.


SECTION 6: Repeal of Conflicting Provisions. All Ordinances, Resolutions, or Orders of the City of Barling Board of Directors, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 7: Emergency Clause. The need to make use of the provisions of Act 874 of 2021 and create a permanent Entertainment District, in order to promote the downtown area of the City of Barling and provide entertainment, hospitality, and dining opportunities to the citizens, is immediate and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED this 10 day of AUGUST, 2021.


Wally Gattis, Mayor

ATTEST:


Florene Brown, City Clerk

