

**CITY OF WARD
ORDINANCE NUMBER O-2025-16**

**AN ORDINANCE ESTABLISHING POLICY CONCERNING PROVIDING CITY UTILITIES TO
SUBDIVISIONS OUTSIDE THE CITY LIMITS OF WARD; DECLARING AN EMERGENCY, AND FOR
OTHER PURPOSES**

WHEREAS, THE 2025 SESSION OF THE ARKANSAS STATE LEGISLATURE passed House Bill 1510 that was signed into law as Act 314; and,

WHEREAS, ACT 314 eliminated municipalities ability to exercise territorial jurisdiction over unincorporated areas in the county. For the City of Ward, this was a one-mile area outside the city limits; and,

WHEREAS, THE GOVERNING BODY OF THE CITY OF WARD wishes to establish policy for providing city utilities (water and wastewater) to new subdivisions outside the city limits.

NOW, THEREFORE, IT IS RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WARD THAT:

SECTION 1: Proposed Subdivisions that border the city limits of Ward must be annexed into the city before being brought to the Planning Commission for consideration. New unannexed subdivisions that border the city limits will not be provided city utilities.

SECTION 2: Proposed Subdivisions that DO NOT border the city limits of Ward will not be provided city utilities unless:

1. The developer signs a developer agreement agreeing to develop the subdivision in accordance with the current Unified Development Ordinance.
2. The developer signs a pre-annexation agreement stating that when the new subdivision become contiguous with the city's border, it shall be annexed and the developer is responsible for any and all documentation needed to finalize the annexation.

SECTION 3 – RIGHT OF REFUSAL: The city reserves the right not to provide city utilities to any proposed subdivision that is not contiguous with the city limits, if it is deemed not to be cost effective to the city or will cause undue stress on city utilities.

SECTION 4 – EMERGENCY CLAUSE: This Ordinance, necessary for the continued efficient delivery of public services and for the benefit, health, safety, and welfare of the citizens of Ward, should be implemented immediately. Therefore, an emergency is hereby declared, and this Ordinance shall be in force and effect from and after its date of passage.

SECTION 5 – SEVERABILITY: If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions

SECTION 6 – CODIFICATION: This Ordinance shall be codified in the Ward Municipal Code and the sections may be renumbered or re-lettered to accomplish such intention.

SAID ORDINANCE WAS ADOPTED ON 8-19-25

Brooke Y, Chapman Y, Hall Y, Hefner Y, McMinn Y, Ruble Y

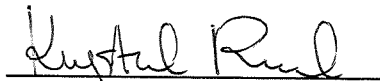
YEAS: 6 NAYS: 0

Mayor (if needed) _____

APPROVED:

ATTEST:


Charles Gastineau, Mayor


Krystal Rummel, City Clerk

