

ORDINANCE NO. 0-96- 48

**AN ORDINANCE AMENDING THE REQUIREMENTS FOR CHILD CARE CENTERS IN THE CONWAY ZONING ORDINANCE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:**

**Section 1:** That SECTION 601.10 - CHILD CARE of the Conway Zoning Ordinance is hereby amended to read as follows:

"SECTION 601.10 - CHILD CARE FACILITIES

Child care centers, when authorized under conditional use permits in residential districts, shall meet the following provisions:

A. The center shall be located in a single-family dwelling which is the permanent residence of the operator and shall be operated in a manner that will not change the character of the residence. This requirement regarding a single-family dwelling and residence shall not apply to churches or existing buildings which were originally constructed for purposes other than to provide housing. The permit shall specify the maximum number of children to be cared for at each center.

B. The dwelling shall be located on a lot having not less than ten thousand (10,000) square feet of area, and all portions of said lot used for outdoor play space shall be fenced with an opaque, ornamental fence not less than six (6) feet in height.

C. The dwelling shall meet all City, County and State Health Department requirements as to safety, design, facilities, equipment, and other features and the center shall be operated in a manner that will not adversely affect other properties and uses in the area.

Commercial day care centers, kindergartens, and nurseries must be operated from existing buildings, churches or buildings originally designed as dwellings or they shall be located in a nonresidential or multi-family zoning district. They shall be limited by the requirements of the State of Arkansas in licensing such a facility, and shall otherwise comply with all area regulations established for the district in which such facility is located."

**Section 2:** That all ordinances in conflict herewith are repealed to the extent of the conflict.

**Section 3:** That this ordinance is necessary for the protection of the public peace, health and safety, and 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 28<sup>th</sup> day of May, 19 1996.

APPROVED:

David A. Fenley  
Mayor

ATTEST:

Martha Hartwick  
City Clerk