

ORDINANCE NO. 2022-010

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT APPLICATION FOR THE WAVEBREAKER AT EDEN ISLE MARINA AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMIT FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222(A)(2)"

WHEREAS, Eden Isle Marina & Yacht Club, Inc., a non-profit corporation, and DBA The Wavebreaker at Eden Isle Marina has applied for a private club permit as required under A.C.A. §3-9-222 and Cleburne County Ordinance Number 2019-004, and

WHEREAS, the application is limited specifically to Eden Isle Marina & Yacht Club, Inc. DBA The Wavebreaker at Eden Isle Marina, and

WHEREAS, Eden Isle Marina & Yacht Club, Inc. DBA The Wavebreaker at Eden Isle Marina has provided all the information requested in the permit application process.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF CLEBURNE COUNTY, ARKANSAS:

Section 1. The Quorum Court of Cleburne County hereby approves the application for permit for the proposed location to operate a private club within the limits of Cleburne County at the location listed on the information provided, specifically at 10 Yacht Harbor Road, Heber Springs, Arkansas.

Section 2. This approval does not authorize the operation of a private club within the limits of the County of Cleburne but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division Per A.C.A. §3-9-222. The Quorum Court ordains specifically that no private club operation shall begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Control Division.

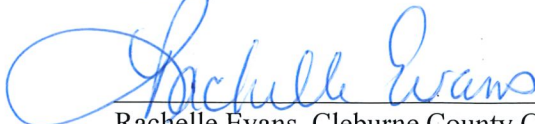
Section 3. This approval and permit are subject to the suspension or revocation by the County of Cleburne in the event that Eden Isle Marina & Yacht Club, Inc., DBA The Wavebreaker at Eden Isle Marina violates any County Ordinance or Arkansas law (including regulations regarding alcoholic beverages).

Section 4. In the event that any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect the other provisions or applications to this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 5. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED this 10th day of March 2022.

ATTEST:



Rachelle Evans, Cleburne County Clerk

APPROVED:



Karl Martin, Cleburne County Judge

FILED
2022 MAR 18 AM 9:23
RACHELLE EVANS
CLEBURNE COUNTY CLERK

Recorded: Book E Page(s) ORD 327