

**Sec. 11-99.3. Gated communities.**

(a) Any gated community, or subdivision, in Washington County shall comply with the uniform standards to be promulgated herein. A gated community or subdivision is a residential area containing more than four (4) lots in which access to the subdivision streets is restricted by the use of a guard house or electronic arm and in which residents may gain entry by using electronic cards, identification stickers, codes, or remote control devices. This definition of gated community shall also include large scale developments, residential or otherwise.

(b) As it is unlawful to block public roads, roads in said communities or subdivisions must be private and thus the County will not accept the roads or streets for maintenance.

(c) As there is a possibility in the future that gates may be removed and the residents may desire that the County accept the roads and streets; said roads and streets must still be built to the specifications as set out in the Regulations, Standards, and Specifications for the Division, Development, and Improvement of Unincorporated Land in Washington County, Arkansas (Washington County Code section 11-51 et seq.).

(d) The County Fire Marshal is authorized to promulgate uniform rules and regulations concerning gated communities or subdivisions, subject to approval by the Quorum Court.

(e) This section shall be amendatory to Washington County Code section 11-51, et seq., and any violation shall be punishable as set out therein.

(f) Rules.

(1) All gates will be siren activated.

(2) All gates will have a keypad accessible to law enforcement personnel (Sheriff's Deputies). Access codes will be provided only to the law enforcement agency charged with law enforcement in that area.

(3) Upon activation, the gates shall remain locked open to allow access by additional responding units. A timed device shall accomplish closure of the gates or a switch-operated relay may be installed near the gate.

(4) A means of mechanical override shall be constructed in a way to allow access by emergency services agencies during power outages or other situations that may not allow the gates to open by an electrical mechanism.

(5) The setbacks from public roads, gate widths, road ways, roadway construction and turn-arounds will be constructed in accordance with county regulations and will accommodate vehicles up to and including tractor trailer vehicles.

(Ord. No. 2003-45, Arts. 1--5, 9-11-03; Ord. No. 2003, 11-13-03; Ord. No. 2008-33, Art. 1, 6-12-08)

FILED

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KAREN COMBS PRITCHARD  
CO. & PROBATE CLERK  
WASHINGTON CO. ARK.

**ORDINANCE NO. 2003-45**

**BE IT ORDAINED BY THE QUORUM COURT  
OF THE COUNTY OF WASHINGTON,  
STATE OF ARKANSAS, AN ORDINANCE  
TO BE ENTITLED:**

**AN ORDINANCE CONCERNING GATED COMMUNITIES IN  
WASHINGTON COUNTY, ARKANSAS.**

**WHEREAS**, due to the rapid increase in population in Washington County, more gated communities are beginning to develop; and,

**WHEREAS**, said gated communities are of great concern to the police and emergency service agencies; and,

**WHEREAS**, there is a need for a uniform standard for gated communities in Washington County.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT  
OF WASHINGTON COUNTY, ARKANSAS:**

**ARTICLE 1.** Any gated community or subdivision in Washington County shall comply with the uniform standards to be promulgated herein. A gated community or subdivision is a residential area containing more than four (4) lots in which access to the subdivision streets is restricted by the use of a guard house or electronic arm and in which residents may gain entry by using electronic cards, identification stickers, codes, or remote control devices.

**ARTICLE 2.** As it is unlawful to block public roads, roads in said communities or subdivisions must be private and thus the County will not accept the roads or streets for maintenance.

**ARTICLE 3.** As there is a possibility in the future that gates may be removed and the residents may desire that the County accept the roads and streets; said roads and streets must still be built to the specifications as set out in the Regulations, Standards, and Specifications for the Division, Development, and Improvement of Unincorporated Land in Washington County, Arkansas (Washington County Code 11-51 et seq.).

**ARTICLE 4.** The County Fire Marshal is authorized to promulgate uniform rules and regulations concerning gated communities or subdivisions, subject to approval by the Quorum Court.

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ARTICLE 5. This ordinance shall be amendatory to Washington County Code 11-51, et seq., and any violation shall be punishable as set out therein.

ARTICLE 6. This ordinance shall be applicable only in the unincorporated areas of Washington County, Arkansas.

  
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JERRY HUNTON, County Judge

9-12-03  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
KAREN COMBS PRITCHARD, County Clerk

Sponsor: H. L. Goodwin, Jr.  
Date of Passage: September 11, 2003  
Votes For: 10 Votes Against: 0  
Abstentions: 0 Absent: 3

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## ORDINANCE NO. 2003-45 GATED SUBDIVISION RULES

1. All gates will be siren activated.
2. All gates will have a keypad accessible to law enforcement personnel (Sheriff's Deputies). Access codes will be provided only to the law enforcement agency charged with law enforcement in that area.
3. Upon activation, the gates shall remain locked open to allow access by additional responding units. A timed device shall accomplish closure of the gates or a switch-operated relay may be installed near the gate.
4. A means of mechanical override shall be constructed in a way to allow access by emergency services agencies during power outages or other situations that may not allow the gates to open by an electrical mechanism.
5. The set backs from public roads, gate widths, road ways, roadway construction and turn-arounds will be constructed in accordance with county regulations and will accommodate vehicles up to and including tractor trailer vehicles.

Prepared by:

John Jenkins, County Fire Marshal

John Gibson, Assistant County Administrator

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On September 11, 2003, the Washington County Quorum Court adopted Ordinance No. 2003-45 entitled, "An Ordinance Concerning Gated Communities in Washington County, Arkansas" which authorized the County Fire Marshal to promulgate uniform rules and regulations concerning gated communities or subdivisions, subject to approval by the Quorum Court.

The Quorum Court County Services Committee reviewed these regulations at its meeting on September 22, and has unanimously recommended their adoption to the full Quorum Court. At the October 9 Quorum Court meeting, these regulations were forwarded to the County Planning Board who held a public hearing on November 6 and has unanimously recommended their final approval.