

ORDINANCE NO. 341

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF FOREMAN, ARKANSAS, ON THE QUESTION OF THE REALLOCATION OF THE EXISTING ONE-HALF OF ONE PERCENT (.5%) SALES AND USE TAX DEDICATED SOLELY TO ECONOMIC DEVELOPMENT TO INSTEAD USE SAME TO FUND CERTAIN OTHER MUNICIPAL PURPOSES; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Foreman, Arkansas ("City"), has passed on 10th August, 2020, Ordinance No. 340, which amends Ordinance No. 241, by providing for the reallocation of the Sales and Use Tax proceeds collected thereunder; and,

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the reallocation of one-half of one percent (.5%) of the Sales and Use Tax levied by Ordinance No. 241;

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Foreman, Arkansas:

SECTION 1. That there be, and there is hereby called a special election to coincide with the general election to be held on November 3, 2020, at which election there shall be submitted to the electors of the City the question of the partial reallocation of the previous levy of the Sales and Use Tax by Ordinance No. 241.

SECTION 2. That the question of the partial reallocation of the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

Vote on measure by placing an "X" in the square opposite the measure either for or against:

- FOR:** reallocation of one-half of one percent (.5%) Sales and Use Tax levy previously adopted by the City of Foreman solely for Industrial Development purposes to instead fund, as determined by the City Council: improvements and repairs to streets, sanitation, water, parks, and wastewater, or economic development.

- AGAINST:** reallocation of the one-half one percent (.5%) Sales and Use Tax levy within the City of Foreman, Arkansas

SECTION 3. That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in Title 26, Chapter 75, Subchapter 2 of the Arkansas code of 1987 Annotated (the "Authorizing Legislation") and only qualified voters of the City shall have the right to vote at the election.

SECTION 4. That the results of the election shall be proclaimed by the Mayor, and his Proclamation shall be published one time in a newspaper published in the City and having a general circulation therein, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

SECTION 5. That a copy of this Ordinance shall be given to the City of Foreman-County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

SECTION 6. That the Mayor and City Clerk, for and on behalf of the City, be, and are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the reallocation of the Sale and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the authorizing legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

SECTION 7. That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. EMERGENCY CLAUSE

Inasmuch as the City of Foreman has numerous and significant unmet needs, and present sales tax collections pursuant to Ordinance No. 241 are restricted funds, the City of Foreman needs to begin tax collections which may be used in a more beneficial manner to the citizens of the City of Foreman as soon as the law allows. In order to comply with existing laws and provide for the public health and welfare, an emergency is declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED in regular session this the 10th day of August 2020.


William B. Harp, Mayor

ATTEST:


Theresa Woods, Deputy Recorder/Treasurer