

ORDINANCE NO, 293

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF GREENLAND, ARKANSAS, ON THE QUESTION OF LEVYING A ONE PERCENT SALES AND USE TAX WITHIN THE CITY WITH THE LEVY TO BEGIN JULY 1, 2011; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Greenland, Arkansas (the "City"), has passed on 9th day of December, 2010, Ordinance No. 292 providing for the levy of a one percent (1%) sales and use tax within the City (the "Sales and Use Tax"); with a levy to begin July 1, 2011; and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax.

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

Section 1: That there be, and there is hereby called, a special election to be held on the 8th day of March, 2011, at which election there shall be submitted to the electors of the City the question of the levy of the Sales and Use Tax.

Section 2: That the question of levying the Sales and Use Tax to take effect on July 1, 2011, shall be placed on the ballot for the election in substantially the following form:

Vote on the question of levying a one percent (1%) sales and use tax within the City of Greenland, Arkansas, with the levy to begin July 1, 2011:

FOR adoption of a one percent (1%) local sales and use tax within the City of Greenland, Arkansas.

AGAINST adoption of a one percent (1%) local sales and use tax within the City of Greenland, Arkansas.

Section 3: The ballot for the question of levying the Sales and Use Tax shall indicate that the effective date of the levy of such one percent sales and use tax within Greenland shall be July 1, 2011. The ballot title should read, 1% SALES AND USE TAX TO BEGIN JULY 1, 2011.

Section 4: 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 3 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 5: That the results of the election shall be proclaimed by the Mayor, and his Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty (30) days after the date of publication.

Section 6: That a copy of this Ordinance shall be given to the 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 7: That the Mayor and Recorder, for and on behalf of the City, be, and they 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 levy of the Sales 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 in a timely fashion to carry out the authority conferred by this Ordinance.

Section 8: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 9: It is hereby ascertained and declared that there is a great need to establish a stable source of revenue to finance vital municipal services in order to promote and protect the health, safety and welfare of the City and its inhabitants. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health and safety shall be in force and take effect immediately from and after its passage.

PASSED AND APPROVED on this 9th day of December 2010.

APPROVED:

John Gray
JOHN GRAY, Mayor

ATTEST:

Donna Cheevers
DONNA CHEEVERS, Recorder-Treasurer

CERTIFICATE

The undersigned, Recorder/Treasurer of the City of Greenland, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of the Ordinance No. 293, passed at a special session of the City Council, held at the regular meeting place of the City Council beginning at 6:30 o'clock p.m., on the 9th day of December, 2010, and that the original of this Ordinance is now in my custody.

GIVEN under my hand and seal this 9th day of December, 2010.

Donna Cheevers
DONNA CHEEVERS, Recorder Treasurer

