

## TITLE 3

### FISCAL AFFAIRS

#### Chapters:

- 3.04 Purchases
- 3.08 Local Sales and Use Tax
- 3.12 Municipal Officials Doing Business with City
- 3.16 Real and Property Tax
- 3.20 Fixed Assets
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#### CHAPTER 3.04

#### PURCHASES

#### Sections:

- 3.04.01 Competitive bids
- 3.04.02 Mayor may approve payment
- 3.04.03 No competitive bids under \$1,000.00
- 3.04.04 Municipal officials doing business with the city

3.04.01 Competitive bids Competitive bids are required when the purchase or contract exceeds the sum of \$25,000.00, and the Mayor, or City Council, shall invite competitive bids thereon by legal advertisement in a newspaper as required by law. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids, in the presence of the Mayor, and City Council. The contract shall be awarded to the lowest responsible bidder provided, however, the Mayor, or City Council, may reject any and all bids received. Further, nothing in this paragraph shall limit the City Council's authority under state law to waive competitive bidding when the City Council finds it is not feasible or practical. (Ord. No. 357, Sec. 1-a)

3.04.02 Mayor may approve payment The Mayor, or his duly authorized representative, may approve for payment out of any funds previously appropriated for that purpose, or disapprove any bills, debts or liabilities asserted as claims against the city, when funds on hand are adequate to pay such bills, debts or liabilities. The payment or disapproval of any bills, debts or liabilities not covered by a previous appropriation shall require confirmation of the governing body. (Ord. No. 160, Sec. 4.)

3.04.03 No competitive bids under \$1,000.00 The Mayor, or his duly authorized representative, may sell or exchange any municipal supplies, materials or equipment without competitive bidding if such supplies, materials or equipment have a value of less than \$1,000.00.

No supplies, materials or equipment shall be sold without receiving competitive bids (unless advertised and sold at public auction) if the value thereof exceeds the sum of \$1,000.00. If the Mayor believes the value of such supplies, material or equipment to be sold is less than \$1,000.00, he shall certify his opinion in writing to the governing body, and after doing so the items shall be sold by the Mayor without competitive bidding. (Ord. No. 160, Sec. 5.)

## **CHAPTER 3.08**

### **LOCAL SALES AND USE TAX**

#### Sections:

- 3.08.01 Levy of Sales and Use Tax
- 3.08.02 Defining single transaction

3.08.01 Levy of Sales and Use Tax Under the authority of the authorizing legislation, there is hereby levied a one percent (1%) tax on the gross receipts from the sale at retail within the city of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. 26-52-101, et seq.) and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the city of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. 26-53-101, et seq.) at a rate of one percent (1%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the "Sales and Use Tax"). (Ord. No. 292, Sec. 1.)

3.08.02 Defining single transaction The term "single transaction," for the purpose of the Local Sales and Use Tax, shall be defined according to the nature of the goods purchased as follows:

- A. When two or more devices in which, upon which or by which any person or property is, or may be transported or drawn, including, but not limited, to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles and mobile homes, or sold to a person by a seller. Each individual unit, whether part of a "Fleet" sale or not, shall be treated as a single transaction for the purpose of the Local Sales Tax.

- B. The charges for utility services, which are subject to the taxes levied under this ordinance, and which are furnished on a continuous service basis. Whether such services are paid daily, weekly, monthly or annually for the purposes of the Local Sales Tax, shall be computed in daily increments, and each such daily charge increment shall be considered to be a single transaction for the purposes of the Local Sales Tax.
- C. For sales of building materials and supplies to contractors, builders or other persons, a single transaction, for the purposes of the Local Sales Tax, shall be deemed to be any single sale which is reflected on a single invoice, receipt or statement, on which an aggregate sales (or use) tax figure has been reported and remitted to the state.
- D. When two (2) or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purposes of the Local Sales Tax.
- E. For groceries, drug items, dry goods, and other tangible personal property and/or services not otherwise expressly covered in this section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt or statement, on which an aggregate sales tax figure has been reported and remitted to the state. (Ord. No. 127, Sec. 1.)

## **CHAPTER 3.12**

### **MUNICIPAL OFFICIALS DOING BUSINESS WITH CITY**

**Sections:**

3.12.01           Municipal officials doing business with city

**3.12.01 Municipal officials doing business with the city**

- A. Aldermen and members of the City Council who offer supplies, equipment and services to the citizens of Greenland, Arkansas, may also offer those same supplies, equipment and services for sale to the city.
- B. The Mayor, Council and Departments of the city of Greenland are hereby authorized to purchase from any citizen or business in Greenland, including

Aldermen and Council members and businesses owned or operated by Aldermen and Council members the supplies, equipment and services for which the City Council has appropriated money. The procedures and approval authority for such purchase shall be as specified in the appropriation order or other applicable resolutions and ordinances.

- C. Any Alderman or member of the Council, as described in paragraph (a), shall be entitled to bid on any purchase for which the city advertises for bids. The bid of an Alderman or Council member shall be considered using the same criteria as applied to other bids submitted in the particular case.
- D. Notwithstanding the authorization in paragraph (c), a bid shall not be awarded to any Alderman or Council member where such Alderman or Council member is the only person or business submitting a bid.
- E. Any Council member who submits a bid as authorized in paragraph (c), or who applies to furnish supplies, equipment and services as authorized in paragraph (b) shall not participate in Council debate or vote in a decision authorizing a contract or authorizing purchase of the supplies, equipment and services applied for. (Ord. No. 98, Secs. 1-5.)

## **CHAPTER 3.16**

### **REAL AND PROPERTY TAX**

Sections:

3.16.01 Tax levied

3.16.01 Tax levied

- A. A tax is hereby levied on the real and personal property within the city of Greenland, Arkansas, for the year 2010, to be collected in 2011, at the rate of 2.9 mills.

- B. The real and personal property tax so levied and the rates provided therefore are hereby certified to the Clerk of Washington County, Arkansas, to be placed in the tax book by the County Clerk and collected in the same manner that the county and school district taxes are collected.
- C. The City Recorder/Treasurer is hereby authorized and directed to file certified copies of this ordinance in the office of the County Recorder, County Clerk, County Assessor, and the County Tax collector for Washington County, Arkansas. (Ord. No. 291. Secs. 1-3.)

**CHAPTER 3.20**

**FIXED ASSETS**

Sections:

3.20.01	Property Evaluated
3.20.02	Criteria
3.20.03	Record

3.20.01 Property Evaluated. All items, equipment, property, and things whether currently owned or hereafter purchased or acquired by the City of Greenland, Arkansas, shall be evaluated by the Mayor, Recorder-Treasurer or Chief of Police, using the criteria, hereinafter laid out and described to determine which items, equipment, property and things should be listed/identified as “fixed assets or equipment” and accounted for as provided in A.C.A.14-59-107. (Ord. No. 331, Sec. 3.)

3.20.02 Criteria. The criteria to be used in making the determination as to whether an item, piece of equipment, parcel of real estate, item of property or other thing acquired by the City of Greenland is a “fixed asset or equipment” shall be as follows:

- a) The cost or acquisition value equals or exceeds \$2,000.00;
  - b) The anticipated useful life of the item, equipment, property, or thing, and;
  - c) Other relevant City, County, State or Federal laws or regulations in effect.
- (Ord. No. 331, Sec. 3.)

3.20.03 Record Once a determination is made by two or more of the responsible officials of the City that the item, property or thing is a "fixed asset or equipment," then the Recorder-Treasurer shall properly account for same in accordance with A.C.A. 14- 59-107. (Ord. No. 331, Sec. 3.)

## **CHAPTER 3.24**

### **ELECTRONIC FUNDS PAYMENT SYSTEM**

#### **Sections:**

- 3.24.01      Electronic Payment System Authorization
- 3.24.02      Policies and Procedures

**Section 3.24.01 Electronic Payment System Authorization** An electronic funds payment system is hereby authorized permitting disbursement of municipal funds for any lawful purposes pursuant to Ark Code Ann. § 14-5-105 as amended by Arkansas Act 138 of 2019. The purpose of this ordinance is to authorize, but not require, EFT payment directly into payees, accounts in financial institutions pursuant to and for the purposes described in the aforementioned authorizing legislation.

**Section 3.24.02 Policies and Procedures** The City Treasurer shall develop written policies and procedures to ensure that the electronic funds payment system provides for internal accounting controls and documentation for audit and accounting purposes as required by Ark. Code Ann. § 14-59-105. The written policies and procedures shall not be implemented until the same are approved by the Legislative Joint Auditing Committee. There shall be no EFT disbursements of City of Greenland funds until the Legislative Joint auditing committee approves of the written policies and procedures.

(\*\* Pages 51-53 have been intentionally left blank\*\*)