

ORDINANCE 04-2016

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF HASKELL, ARKANSAS, ON THE QUESTION OF LEVYING A ONE PERCENT (1%) SALES AND USE TAX WITHIN THE CITY OF HASKELL, ARKANSAS FOR POLICE (0.75%) AND PARKS IMPROVEMENTS (0.25%) PURPOSES, AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Haskell, Arkansas (the "City"), has passed on 13th Ordinance 03-2016 providing for the levy of a new one percent (1%) sales and use tax within the City for Police (0.75%) and Parks Improvements (0.25%) (the "Sales and Use Tax"); 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 Haskell, Arkansas:

SECTION 1. *Election Called*. That there be, and there is hereby called, a special election to be held on Tuesday, November 8, 2016, contemporaneously with the General Election, 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. *Form of Ballot*. That the question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

[BALLOT FORM]

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

Adoption of a new one percent (1%) local sales and use tax within the City of Haskell, Arkansas, the net collections of which remaining after deduction of the administrative charges of the State of Arkansas and required rebates shall be used by the City for the maintenance, operation and expenses of the Haskell Police and Parks Departments according to Ordinance 03 of 2016 and any amendments thereto.

If approved, Net Collections of the Sales and Use Tax, after the State of Arkansas deducts its administrative charges, shall be used as follows:

Three-fourths ($\frac{3}{4}$) of the Net Collections shall be placed in the General Fund of the City, in a separate account, and shall be used for maintenance, operation and expenses of the Police Department.

One-fourth ($\frac{1}{4}$) of the Net Collections shall be placed in the General Fund of the City, in a separate account, and shall be used for maintenance, operation, improvements and expenses of the Parks Department.

FOR adoption of a 1% local sales and use tax within the City of Haskell, Arkansas.

.....

AGAINST adoption of a 1% local sales and use tax within the City of Haskell, Arkansas.

.....

[END OF BALLOT]

SECTION 3. *Conduct of Election.* 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. *Mayor's Proclamation.* That the results of the election shall be proclaimed by the Mayor, and her 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 (30) days after the date of publication.


SECTION 5. *Copies of Ordinance.* That a copy of this Ordinance shall be given to the Saline 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. *Directions to Mayor and Recorder.* 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 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 7. *Conflicting Provisions Repealed.* That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict only, but not otherwise.

PASSED AND APPROVED this 13th day of June, 2016.


Janie Lyman, Mayor

ATTEST:


Dori Lyman, Recorder

CERTIFICATE

The undersigned, Recorder of Haskell, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance 04-2016, passed at a regular session of the City Council of Haskell, Arkansas, held at the regular meeting place of the City Council at 7:00 o'clock p.m., on the 13th day of June, 2016, and that the Ordinance is of record in Ordinance Record Book No. 2016, Page 84, now in my possession.

GIVEN Under My Hand and Seal this 14 day of June, 2016.




Dori Lyman, Recorder