

ORDINANCE NO. 155

FILED FOR RECORD
'01 OCT 26 PM 2 31

AN ORDINANCE FIXING THE PERIOD WITHIN WHICH WASHINGTON COUNTY
REFERENDUM PETITIONS MAY BE FILED; PRESCRIBING
OTHER MATTERS RELATED THERETO; AND DECLARING
AN EMERGENCY. B. STAMPS

BE IT ORDAINED by the City Council of the City of
Tontitown, Arkansas:

Section 1. That all referendum petitions under Amendment
No. 7 to the Constitution of the State of Arkansas must be filed
with the Recorder within thirty (30) days after the passage of any
ordinance or resolution.

Section 2. That upon the filing of said referendum
petition, the Mayor is hereby directed to give notice by
publication for one insertion in a newspaper having a general
circulation in the City of Tontitown, Arkansas (the "City"), and by
posting in five public places in the City of a time not less than
five days after the publication of such notice at which the Council
will hear all persons who wish to be heard on the question whether
such petition is signed by the requisite number of petitioners. At
the time named, the Council shall meet and hear all who wish to be
heard on the question, and its decision shall be final unless suit
is brought in the Chancery Court of Washington County, Arkansas
within thirty days to review its action.

Section 3. That if the Council finds that such petition
is signed by the requisite number of qualified petitioners, it
shall order a special election to determine by a vote of the
qualified electors whether the ordinance or resolution shall stand
or be revoked, and fix a date which shall be not less than ten days
after the date of the action of the Council calling the election.
The Mayor shall give notice of the call of such election by
publication in not less than one issue of a newspaper having a
general circulation in the City and by posting in five public
places in the City not less than five days prior to the date of the
election. Such notice shall designate by its number, caption and
date of passage, the ordinance which has been referred to the
people for approval or rejection by their vote at such election.
Otherwise, subject to the provisions of Amendment No. 7 to the
Constitution of Arkansas, and other applicable laws, said election
shall be conducted in the manner provided by law for the conduct of
a regular municipal election.

Section 4. That if any ordinance or resolution referred
to the people is defeated at the polls, the Council shall make note
of such fact and shall expunge the ordinance or resolution from its
files by erasing the same with red ink.

Section 5. That if any provision of this ordinance is
held to be void, it shall not affect the validity of the remainder
of the ordinance and the remainder shall stand.

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Section 6. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. That the Council hereby ascertains and declares that uncertainty exists with respect to the time within which and the manner in which the right of referendum may be exercised by the electors of the City and in regard to the time when ordinances and resolutions of the City which affect the public welfare become effective. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall take effect and be in force immediately from and after its passage.

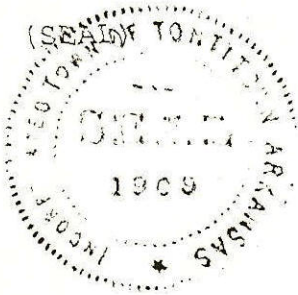
PASSED: October 23, __, 2001.

ATTEST:

Frances Frances
City Recorder

APPROVED:

Daniel R. Wabm
Mayor



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