

ORDINANCE NO. 164

AN ORDINANCE CREATING CITY WARDS
AND DECLARING AN EMERGENCY

FILED FOR RECORD
2002 JUL 22 PM 1:48
WASHINGTON CO. - AR
B. STAMPS

WHEREAS, the City of Tontitown is a city of the second class; and

WHEREAS, Ark. Code Ann. § 14-44-101 provides that an incorporated town which becomes a city of the second class shall be organized into wards;

WHEREAS, the study by the Northwest Arkansas Planning Commission has been completed, presented to the City of Tontitown, with the City Council having had time to review said study;

WHEREAS, the City Council, pursuant to statute, has the discretion to form the City into the number of wards that, to it, will seem to best serve the interest of the City; and

WHEREAS, after due consideration, the City Council has determined that the public interest is best served by creating three wards within the City of Tontitown; and

WHEREAS, the City Council, pursuant to statute, has the duty to see that each ward has as nearly an equal population to each of the other wards as would best serve the interest of the tax payers of the City; and

WHEREAS, at Tontitown's request, pursuant to Ordinance Number 163 passed on the 2nd day of April 2002, the Northwest Arkansas Regional Planning Commission has conducted a demographic analysis of the City's wards and has prepared a plan creating wards for the Council's consideration; and

WHEREAS, it is the desire of the City Council that the plan creating wards for the City of Tontitown, as recommended by the Northwest Arkansas Regional Planning Commission, be approved; and

WHEREAS, Ark. Code Ann. § 14-44-103 calls for the election, every two years in November, of two alderman from each ward who shall then compose the City Council, and that the election of the Tontitown City Council shall next occur in November 2002; and

WHEREAS, Ark. Code Ann. § 14-44-103(b)(1)(A) provides that candidates for the office of alderman in cities of the second class shall reside in the ward from which they seek to be elected and shall run for election at large and that all of the qualified electors of the City shall be entitled to vote in the election; and

WHEREAS, in order that the residents of Tontitown shall have a reasonable amount of time to be made aware of the new wards and those who are interested in being a candidate for alderman shall have the maximum amount of time to prepare for making themselves a candidate for alderman, it is necessary that the City Council recognize this as an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS.

ARTICLE 1. That the ward plan, consisting of a map and boundary descriptions, attached hereto and made a part hereof, be and is hereby adopted; with said map to serve hereafter as the Official Ward Map for the City of Tontitown, Arkansas.

ARTICLE 2. That, although there is no evidence that any official action was ever taken previously to establish wards, if any ward maps and boundary descriptions exist which are in conflict herewith, they are hereby replaced.

ARTICLE 3. That a duly certified copy of said Map shall be submitted to the

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WARD 1

All land within the city limits of Tontitown, which lie east of the following described line.

Beginning at the southern city limit line, said point being the intersection of Kelly Ave. and Klenc Rd. Then north to the south line of lot 1 of Rolling Oak Estates, then east along said line to the south line of lot 5 of Rolling Oak Estates, then east to the centerline of Barrington Rd., then along Barrington Rd. north to the south line of census block 1037, then west along said line to the west line of census block 1037, then north along said line to the centerline of Baker Ave., then west along Baker Ave. to the centerline of Sabatini Rd., then north to the northern city limit line of the City of Tontitown.

WARD 2

All land within the city limits of Tontitown, which lie west and north of the following described line. Beginning at the northern city limit line at Sabatini Rd., then south along Sabatini Rd. to Baker Ave., then east along Baker Ave. to the west line of census block 1037, then south to the south line of census block 1037, then east along said line to the centerline of Barrington Rd., then along Barrington Rd. to the centerline of U.S. Highway 412, then west along U.S. 412 to the centerline of Harmon Rd., then south along said line to the southern city limit of the City of Tontitown.

WARD 3

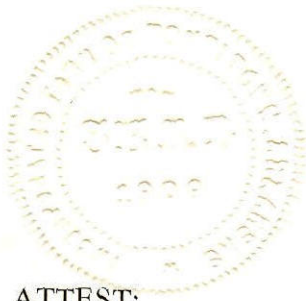
All land within the city limits of Tontitown, which lie south of U.S. Highway 412 and west of the following described line. Beginning at the intersection of Barrington Rd. and U.S. 412, then south along Barrington Rd. to a point which is directly east of the south line of lot 5 of Rolling Oak Estates, then west along said line to the south line of lot 1 of Rolling Oak Estates, then west along said line to the centerline of Klenc Rd., then south along Klenc Rd. to the southern city limit line of the City of Tontitown.

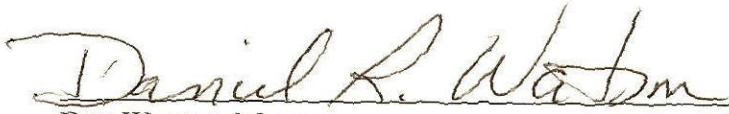
Washington County Election Commission, and filed in the Office of the Washington County Clerk.

ARTICLE 4. That beginning with the November 2002 general election, the City of Tontitown shall elect for each of the wards hereinabove designated two alderman, who shall compose the City Council, that *Candidates for the office of alderman shall reside in the ward from which they seek to be elected and shall run for election at large, that all of the qualified electors of the City of Tontitown shall be entitled to vote in the election, and that nothing contained herein is intended to affect the current composition of the City Council and the current alderman who shall serve until their successors, elected in accordance herewith, shall take office January 1, 2003.*

ARTICLE 5. Emergency Clause: It is hereby declared that an emergency exists, and this Ordinance being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas shall be effective immediately upon its passage, approval and publication.

PASSED AND APPROVED this 4th day of June, 2002.




Dan Watson, Mayor

ATTEST:


Frances Franco, City Clerk

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