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Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Bette Stamps Circuit Clerk

File **2007-00045260**

ORDINANCE NO. 2007-11-362

**AN ORDINANCE PROVIDING FOR REMOVAL
OF ELECTED OFFICERS FOUND TO BE GUILTY OF
NONFEASANCE IN OFFICE AND FOR OTHER PURPOSES.**

WHEREAS, Arkansas Code Annotated § 14-42-109, provides for the removal of a mayor, member of the city council or other appointive officer in cities of the second class when said person is found guilty of nonfeasance in office; and

WHEREAS, it is in the best interest of the City of Tontitown, Arkansas, to adopted the procedure set for in Arkansas Code Annotated §14-42-109 as an Ordinance of the City and to further provide for a manner in which the City Council may recommend a matter to the proper authorities for consideration under said statute;

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

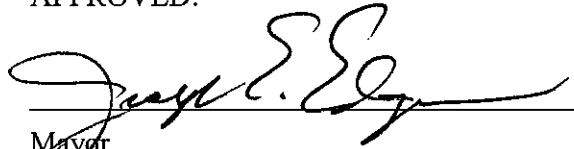
Section 1: If the mayor, member of the City Council, or any other elective officer of the city shall willfully and knowingly fail, refuse, or neglect to execute, or cause to be executed, any of the laws or ordinances within their jurisdiction, they shall be deemed guilty of nonfeasance in office as such term is used in Arkansas Code Annotated §14-42-109.

Section 2: If the City Council determines that the mayor, member of the City Council, or any elective officer has committed nonfeasance in office as defined herein, the City Council may by majority vote recommend the matter to the proper authorities for consideration pursuant to the procedures provided in Arkansas Code Annotated §14-42-109.

Section 3: If a judgment of record is entered removing the guilty officer from office, removal, replacement and/or reinstatement shall be in accordance with the procedure provided in Arkansas Code Annotated §14-42-109.

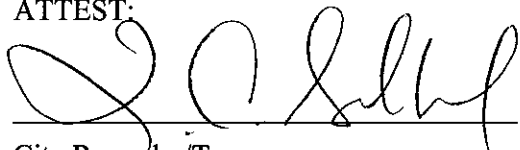
PASSED AND APPROVED this 6th day of November, 2007.

APPROVED:



Mayor

ATTEST:



City Recorder/Treasurer

SPONSOR:



ROLL CALL

SHALL THE ORDINANCE PASS:

	Yea	Nay
Alderman Sunny Hinshaw	_____	<input checked="" type="checkbox"/> (Ward 1, Position 1)
Alderman Henry Piazza	<input checked="" type="checkbox"/> _____	_____ (Ward 1, Position 2)
Alderman Arthur Penzo	<input checked="" type="checkbox"/> _____	_____ (Ward 2, Position 1)
Alderman David Sbanotto	<input checked="" type="checkbox"/> _____	_____ (Ward 2, Position 2)
Alderman Becky Alston	<input checked="" type="checkbox"/> _____	_____ (Ward 3, Position 1)
Alderman Scott McNair	<input checked="" type="checkbox"/> _____	_____ (Ward 3, Position 2)
Mayor Joseph Edgmon	_____	_____
TOTALS:	<u>5</u>	<u>1</u>

ROLL CALL

SHALL THE ORDINANCE BECOME EFFECTIVE IMMEDIATELY:

	Yea	Nay
Alderman Sunny Hinshaw	_____	_____ (Ward 1, Position 1)
Alderman Henry Piazza	_____	_____ (Ward 1, Position 2)
Alderman Arthur Penzo	_____	_____ (Ward 2, Position 1)
Alderman David Sbanotto	_____	_____ (Ward 2, Position 2)
Alderman Becky Alston	_____	_____ (Ward 3, Position 1)
Alderman Scott McNair	_____	_____ (Ward 3, Position 2)
Mayor Joseph Edgmon	_____	_____
TOTALS:	_____	_____