

ORDINANCE NO. 2009-03-332

AN ORDINANCE PROVIDING SPECIAL PROCEDURES FOR EXPENDITURE OF FUNDS FOR CLEAN-UP, REPAIRS AND OTHER WORK FOR THE CITY OF TONTITOWN, ARKANSAS, AS A RESULT OF THE ICE STORM OF JANUARY 2009, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City of Tontitown has experienced a serious ice storm which has caused destruction throughout the City; and

WHEREAS, Washington County, Arkansas, including Tontitown, has been declared a disaster area by state and federal authorities; and

WHEREAS, public health, safety and welfare require that cleanup from the storm move as expeditiously as possible;

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

Section 1: The provisions of this Ordinance shall relate only to clean-up, repairs and other work arising out of the ice storm of January 2009, which has been assigned FEMA identification number "FEMA-1819-DR-AR." Furthermore, this Ordinance shall remain in force and effect through June 30, 2009, and shall thereafter be of no effect unless extended by a subsequent ordinance.

Section 2: The provisions of Ordinance No. 2008-11-324, codified as Section 32.02 (I) of the Tontitown Code of Ordinances, as well as any amendments thereto occurring prior to July 1, 2009, relating to the conditions under which the Mayor or Aldermen may conduct business with the City shall not apply to goods or services relating to clean up, repairs or other work arising out of the ice storm (FEMA-1819-DR-AR). Instead, the Mayor and Alderman of the City may conduct business with the City provided that the goods or services are actually provided and the amount charged the City for said goods or services is reasonable.

Section 3: For purposes of obtaining goods, services, equipment, materials, or labor for clean-up, repairs and other work arising out of the ice storm (FEMA-1819-DR-AR), the phrase "duly authorized representative" when used in Ordinance No. 2008-11-324, codified as Section 32.02 of the Tontitown Code of Ordinances, as well as any amendments thereto occurring prior to July 1, 2009, shall mean the City Building

Official, Todd Witzigman.

Section 4: The City Building Official, Todd Witzigman, shall be authorized to approve invoices for payment for expenditures authorized under this Ordinance. The City Building Official shall also be authorized to sign on behalf of the City any documents or paperwork required by FEMA, including but not limited to all Project Work Orders or related documents.

Section 5: Attached to this Ordinance as Exhibit "A" is a list of expenditures for clean-up, repairs and other work arising out of the ice storm (FEMA-1819-DR-AR) which have been authorized pursuant to the City Council's Motion made and passed at its February 2009 meeting. Said expenditures are hereby approved, ratified and adopted.

Section 6: **EMERGENCY CLAUSE:** The City Council hereby determines that an emergency exists in that debris and damage from the ice storm (FEMA-1819-DR-AR) have created a public health and safety hazard and that the expedited clean-up, repairs and other work required by the ice storm (FEMA-1819-DR-AR) are necessary for the public health, welfare and safety. Thus, being necessary for the protection of public health, safety, peace and welfare, this ordinance shall be in force and effect immediately upon its passage and approval.

PASSED AND APPROVED THIS 3RD DAY OF March, 2009.

Disagree with, but attest to

Joseph E. Edm
Mayor of the City of Tontitown

ATTEST:

Amy B. Piaratto
Recorder - Treasurer of the City of Tontitown

Amy B. Piaratto

SPONSOR:
