

ORDINANCE NO. 2017-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO REPEAL SECTION 31.08 BILL OF RIGHTS FOR LAW ENFORCEMENT OFFICERS OF CHAPTER 31: DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES OF THE TONTITOWN MUNICIPAL CODE IN ITS ENTIRETY, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, Ordinance No. 2014-12-495 was adopted by the City of Tontitown City Council on December 2, 2014 and eventually codified as Section 31.08 BILL OF RIGHTS FOR LAW ENFORCEMENT OFFICERS of CHAPTER 31: DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES of the Tontitown Municipal Code;

WHEREAS, Ordinance No. 2014-12-495 is an ordinance which creates provisions establishing procedures for the investigation of alleged improper conduct of the law enforcement officers of the City of Tontitown;

WHEREAS, the City Council of the City of Tontitown, after due consideration, believed that is in the best interest of the citizens of the City of Tontitown to repeal Section 31.08 BILL OF RIGHTS FOR LAW ENFORCEMENT OFFICERS of CHAPTER 31: DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES and Ordinance No. 2014-12-495 in its entirety.

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

Section 1: Section 31.08 BILL OF RIGHTS FOR LAW ENFORCEMENT OFFICERS of CHAPTER 31: DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES and Ordinance No. 2014-12-495 are hereby repealed in its entirety.

Section 2: If any section, subsection, sentence clause, phrase, or portion if this Ordinance if for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distant and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

Section 3. Declaration of Emergency. It is hereby found and determined that the repeal of Section 31.08 BILL OF RIGHTS FOR LAW ENFORCEMENT OFFICERS of CHAPTER 31: DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES of the Tontitown Municipal Code and Ordinance No. 2014-12-495, is necessary as these provisions of the Municipal Code and the Ordinance was vague, poorly drafted and have led to confusion and misunderstandings and that the repeal of this section is necessary to protect the City of Tontitown. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the

Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

PASSED AND APPROVED this _____ day January, 2017.

APPROVED:

Paul Colvin, Jr., Mayor

ATTEST:

Rhonda Ardemagni, City Recorder-Treasurer

(SEAL)