

ORDINANCE NO. 2026-____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING § 30.01(G) OF THE TONTITOWN MUNICIPAL CODE TO CONFORM THE CITY'S REMOTE PARTICIPATION REQUIREMENTS FOR CITY COUNCIL MEETINGS TO CURRENT ARKANSAS LAW; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Tontitown has adopted procedures governing meetings of the City Council, which are codified in Chapter 30 of the Tontitown Municipal Code; and

WHEREAS, the Arkansas General Assembly has amended the Arkansas Freedom of Information Act (FOIA) to establish requirements governing remote participation by members of governing bodies at public meetings; and

WHEREAS, the Tontitown City Council finds that § 30.01(G) of the Tontitown Municipal Code should be amended to ensure consistency with current Arkansas law and to avoid any conflict between the Municipal Code and applicable state law.

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

Section 1.Amendment.

§30.01(G) of the Tontitown City Code is hereby amended to read in its entirety, as follows:

“(G) A member of the City Council may attend, participate in, and vote at a meeting of the City Council or the Committee of the Whole by electronic means only to the extent authorized by applicable Arkansas law. Any remote participation shall comply with all requirements of the Arkansas Freedom of Information Act, as amended, including any requirements regarding the physical presence of members, public notice, public access to the meeting, the public's ability to contemporaneously hear all discussion and votes, and any other requirements imposed by state law. In the event of any conflict between this Code and Arkansas law, Arkansas law shall govern.”

Section 2.Repealer.

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 3.Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Codification.

Upon adoption, the provisions of this Ordinance shall be incorporated into the Tontitown Municipal Code, and the codifier is authorized to renumber or redesignate sections and make such non-substantive formatting changes as are necessary to accomplish codification.

Section 5. Declaration of Emergency.

The Tontitown City Council finds that the existing provisions of § 30.01(G) may be inconsistent with current Arkansas law governing remote participation in meetings of municipal governing bodies. Immediate amendment of the Tontitown Municipal Code is necessary to ensure compliance with state law, to promote transparency in public meetings, and to avoid uncertainty regarding the conduct of City Council meetings. Therefore, an emergency is declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED on this _____ day of July 2026.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted / Passed: _____

Vote: Ayes ____ Nays ____ Abstain ____ Absent ____

This requirement is in addition to, and does not supersede, any authentication, attestations, or signature requirements imposed by state law or other provisions of the Tontitown Municipal Code.