

ORDINANCE NO. 2026-_____

CITY OF TONTITOWN ARKANSAS

AN ORDINANCE AMENDING CHAPTER 155 OF THE TONTITOWN MUNICIPAL CODE TO REQUIRE A CONSOLIDATED CITYWIDE FEE SCHEDULE AND FOR OTHER PURPOSES

WHEREAS, fees, charges, rates, permits, licenses, deposits, and other amounts collected by the City are established in multiple provisions of the Tontitown Municipal Code and other ordinances; and

WHEREAS, the Tontitown City Council desires to provide citizens, applicants, businesses, and City personnel with one clear and current reference identifying all fees and charges collected by the City; and

WHEREAS, the Tontitown City Council intends that the controlling amounts, formulas, payment requirements, exemptions, credits, refunds, and official duties remain governed by the provisions in which they are presently established; and

WHEREAS, certain fees and charges are already required by ordinance or other law to be adjusted administratively according to an established formula.

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

SECTION 1 NEW SECTION 155.05

Chapter 155 of the Tontitown Municipal Code is amended by adding a new §155.05 to read as follows:

§155.05 CONSOLIDATED CITYWIDE FEE SCHEDULE.

(A) The City shall maintain and make reasonably available on its official website a consolidated citywide fee schedule identifying all current fees and charges imposed or collected by the City. The schedule shall include, without limitation, administrative, records, business-license, permit, public-safety, planning, zoning, subdivision, building, inspection, utility, sanitation, parks, recreation, facility-use, animal-control, and other departmental fees and charges.

(B) For each listed fee or charge, the schedule shall identify, as applicable, the name of the fee or charge, the current amount or method of calculation, the responsible department, the controlling Code or ordinance provision, the effective date of the displayed amount, and the time or event at which payment is required.

(C) The consolidated citywide fee schedule is an administrative reference and does not independently create, amend, waive, accelerate, delay, or repeal a fee or charge. If the schedule conflicts with the Tontitown Municipal Code, another controlling ordinance, or applicable law, the controlling authority shall govern.

(D) The Mayor shall designate the City official or employee responsible for coordinating, publishing, and maintaining the consolidated citywide fee schedule. Each City department shall verify the fees and charges it administers and promptly notify the designated official of any enacted or authorized change.

(E) When a controlling ordinance or other applicable law requires an automatic or administrative adjustment, the City shall update the consolidated schedule to reflect the resulting amount and effective date. The City shall retain a written record showing the authority for the adjustment and, when applicable, the index, adjustment factor, calculation, resulting amount, and effective date.

(F) A new fee, elimination of a fee, or change to a fee or calculation method not already governed by an enacted automatic-adjustment formula requires appropriate action by the City Council.

(G) Applications, permits, worksheets, checklists, invoices, and informational materials may identify or calculate applicable fees and charges but shall not independently establish or amend them. Whenever practicable, those materials shall refer to the current consolidated citywide fee schedule rather than permanently reproducing automatically adjusted amounts.

(H) When the Planning Department generates fees for a permit or application, it shall provide the applicant with a complete written fee calculation or permit-fee summary identifying each charge, its amount or calculation, its controlling authority, and when it is due. The applicant shall be asked to sign the summary acknowledging receipt. The signature acknowledges receipt only and does not constitute agreement with the calculation, a waiver of any right, or proof of payment. If the applicant declines to sign, City staff shall note the date and manner in which the summary was provided. If the charges later change, the applicant shall be provided an updated summary.

(I) Nothing in this section transfers or changes any approval, inspection, enforcement, permit-issuance, certificate-of-occupancy, collection, or other authority assigned elsewhere in the Tontitown Municipal Code.

SECTION 2 IMPLEMENTATION

Before initially publishing the consolidated schedule, the City shall verify each displayed amount and calculation method against the official ordinance record and shall insert the current inflation-adjusted amounts required by §§155.03 and 155.04.

SECTION 3 CODIFICATION

The codifier may correct numbering, capitalization, punctuation, and cross-references necessary to codify this ordinance, provided no substantive requirement, fee, duty, or grant of authority is changed.

SECTION 4 REPEALER

All ordinances and parts of ordinances in conflict with this ordinance are repealed solely to the extent of the conflict.

SECTION 5 SEVERABILITY

If any provision of this ordinance is held invalid or unenforceable, the remaining provisions shall remain in full force and effect.

SECTION 6 EFFECTIVE DATE

This ordinance shall take effect as provided by law.

PASSED AND APPROVED this ____ day of _____, 2026.

Mayor

ATTEST:

City Clerk-Treasurer

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted/Passed: _____

Vote: Ayes: _____ Nays: _____ Abstain: _____ Absent: _____