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ORDINANCE NO. 20,452

AN ORDINANCE TO CALL A SPECIAL ELECTION IN THE CITY OF LITTLE ROCK, ARKANSAS, ON THE QUESTION OF LEVYING A 5/8 % SALES AND COMPENSATING USE TAX WITHIN THE CITY OF LITTLE ROCK, ARKANSAS, TO BE USED FOR GENERAL OPERATIONS; TO PRESCRIBE OTHER MATTERS THAT PERTAIN TO THE ELECTION; AND TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Directors of the City of Little Rock, Arkansas (the "City"), passed Little Rock, Ark., Ordinance No. 20,451 (July 11, 2011), which provides for the levy of a 5/8 percent sales and compensating use tax within the City (the "Operating Sales and Use Tax") to be used for general operations; and,

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Operating Sales and Use Tax;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. A special election is also hereby called to be held on September 13, 2011, at which special election there shall be submitted to the electors of the City the question of the levy of a sales and compensating use tax for the purpose of general operations.

Section 2. On the ballot at the special election on the question referred to in Section 3 of this ordinance the question of whether to levy the sales and compensating use tax referred to above in substantially the following form:

Vote on measure by placing an "X" in the square opposite the measure either for or against:

- FOR Adoption of a 5/8 % local sales and compensating use tax within the City of Little Rock, Arkansas, for the purpose of general operations.
- AGAINST adoption of a 5/8 % local sales and compensating use tax within the City of Little Rock, Arkansas for the purpose of general operations.

Section 3. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in Title

1 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation")
2 and only qualified voters of the City shall have the right to vote at the election.

3 **Section 4.** The results of the election shall be proclaimed by the Mayor, and his Proclamation shall
4 be published one time in a newspaper having a general circulation in the city, which Proclamation shall
5 advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty (30)
6 days after the date of publication.

7 **Section 5.** A copy of this Ordinance shall be given to the County Board of Election Commissioners
8 so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance
9 shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

10 **Section 6.** The Mayor and City Clerk or Recorder, for and on behalf of the City, be, and they are
11 hereby authorized and directed to do any and all things necessary to call and hold the special election as
12 herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales
13 and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of
14 whatever nature necessary in a timely fashion to carry out the authority conferred by this Ordinance.


15 **Section 7. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,
16 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconsti-
17 tutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, as if
18 such invalid or unconstitutional provision were not originally a part of this ordinance.

19 **Section 8. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this or-
20 dinance are hereby repealed to the extent of such inconsistency.

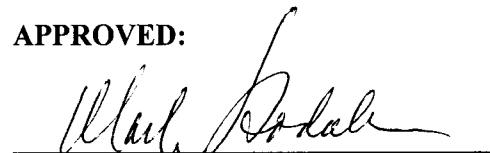
21 **Section 9. Emergency Clause.** *The ability to properly fund necessary municipal operations, and to*
22 *have a timely election on whether to impose a sales and compensating use tax levy for such general mu-*
23 *nicipal operations is essential to the public health, safety, and welfare; an emergency is, therefore, de-*
24 *clared to exist and this ordinance shall be in full force and effect from and after the date of its passage*
25 *and publication.*

26 **PASSED: July 11, 2011**

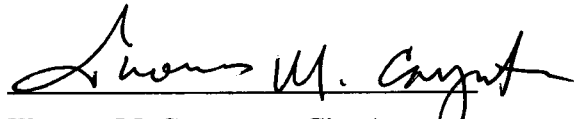
27 **ATTEST:**

28 
29 _____
30 Susan Langley, City Clerk

APPROVED:


31 _____
32 Mark Stodola, Mayor

31 **APPROVED AS TO LEGAL FORM:**

32 
33 _____
34 Thomas M. Carpenter, City Attorney