

ORDINANCE NO. O-17-66

AN ORDINANCE TO CALL A SPECIAL ELECTION IN GARLAND COUNTY, ARKANSAS, ON THE QUESTION OF ESTABLISHING A FIRE PROTECTION DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, A Petition was filed with the Garland County Court by Lake Hamilton Fire Protective Association requesting the establishment of a fire protection district, in accordance with Arkansas Code Annotated Section 14-284-205. The signed Petition contained the verified and required signatures of ten percent (10%) or more of the qualified electors within the proposed fire protection district boundaries. The number of signatures was determined by the number of votes cast by the qualified electors within the proposed fire protection district boundaries for all candidates for Governor at the last preceding general election. Said Petition contained a request for the establishment of a fire protection district within the borders of the area designated, with a portion of Garland County, Arkansas and Hot Spring County, Arkansas, and requested that assessments be made on the property and collected from the landowners to finance the operation of the district; and

WHEREAS, in accordance with Arkansas Code Annotated Section 14-284-205, the Quorum Court of Garland County, Arkansas shall call a special election, in accordance with Arkansas Code Annotated section 7-11-201, to be held within the proposed fire protection district to determine whether a fire protection district shall be established for the area.

NOW, THEREFORE, BE IT ORDAINED BY THE GARLAND COUNTY QUORUM COURT;

Section 1. A special election is hereby called to be held February 13, 2018, at which special election there shall be submitted to the electors within the proposed fire district on the question of establishing and financing a fire protection district.

Section 2. At the special election the question of establishing and financing a fire protection district shall be placed on the ballot in substantially the following form:

FOR the establishment of a fire protection district in Garland County, Arkansas, and the levy of assessed benefits on the real property in the district to finance the district.

AGAINST the establishment of a fire protection district in Garland County, Arkansas, and the levy of assessed benefits on the real property in the district to finance the district.

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 special elections and only qualified voters shall have the right to vote at the election.

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

Section 5. A copy of this Ordinance shall be given to the County Board of

Election Commissioners so that the necessary election officials and supplies may be provided.

Section 6. The County Judge and County Clerk or Recorder, for and on behalf of the County, be, and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and to perform all acts of whatever nature necessary in a timely fashion to carry out the authority conferred by the Ordinance.

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

Section 8. Repealer. All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Passed this 11th day of December, 2017.

Approved:



Rick Davis, County Judge

ATTEST:



Sarah Smith, County Clerk

Sponsor:



Matt McKee, Justice of the Peace