

ORDINANCE NO. 2006-51

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF SALINE, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE CALLING AN ELECTION IN SALINE COUNTY, ARKANSAS ON THE QUESTION OF LEVYING A NEW ANNUAL VOLUNTARY TAX IN THE AMOUNT OF FIVE DOLLARS (\$5.00) PER EVERY REAL PROPERTY OWNER IN SALINE COUNTY FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND MAINTENANCE OF AN EMERGENCY WARNING SYSTEM FOR SALINE COUNTY INCLUDING, BUT NOT LIMITED TO, SIRENS, EMERGENCY WARNING RADIOS, COMPUTERS AND RELATED EQUIPMENT, SOFTWARE AND AUTOMATED ACTIVATING DEVICES AND THE REPAIR AND REPLACEMENT THEREOF ON AN AS NEEDED BASIS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Quorum Court of Saline County, Arkansas (the "County") has determined that there is a great need for a source of revenue to finance the acquisition, construction and maintenance of an emergency warning system for the use of the County and related facilities, which facilities may include, but are not limited to, sirens, emergency warning radios, computers and related equipment, software and automated activating devices, and the repair and replacement thereof on an as needed basis (the "Emergency Warning System"); and

WHEREAS, the Quorum Court has determined that it would be in the best interest of the County to finance the Emergency Warning System by imposing and levying an annual voluntary tax in the amount of Five Dollars (\$5.00) per every real property owner in the County (the "Voluntary Tax"); and

WHEREAS, the Arkansas Code Annotated Sections 26-25-106 and 26-73-103(a) authorize the imposition and levying of voluntary taxes for the benefit of residents (the "Authorizing Legislation"); and

WHEREAS, the purpose of this Ordinance is to submit to the electors of the County the question of imposing and levying the Voluntary Tax under the Authorizing Legislation;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Saline County, Arkansas:

Section 1. That there be, and there is hereby called, an election to be held on November 7, 2006, at which election there shall be submitted to the electors of the County the question of imposing and levying the Voluntary Tax under the Authorizing Legislation.

Section 2. The question of imposing and levying the Voluntary Tax shall be placed on the ballot for the election in substantially the following form:

VOLUNTARY TAX
FOR CONSTRUCTING, EQUIPPING, AND MAINTAINING
A NEW EMERGENCY WARNING SYSTEM

If approved, there will be levied within Saline County, Arkansas a new annual voluntary tax in the amount of Five Dollars (\$5.00) per every real property owner in the County (the "Voluntary Tax"), the net collection of which shall be used solely to finance the acquisition, construction and maintenance of an emergency warning system for the use of the County and related facilities, which facilities may include, but are not limited to, sirens, emergency warning radios, computers and related equipment, software and automated activating devices, and the repair and replacement thereof on an as needed basis (the "Emergency Warning System"). If approved, the Voluntary Tax, will appear on an annual statement mailed to each real property owner in the County. Upon receipt of the statement for the Voluntary Tax, the real property owner may choose whether or not to pay the Voluntary Tax.

- FOR the levy of a new annual voluntary tax in the amount of Five Dollars (\$5.00) per every real property owner in the County.....

- AGAINST the levy of a new annual voluntary tax in the amount of Five Dollars (\$5.00) per every real property owner in the County.....

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 county elections unless otherwise provided in the Authorizing Legislation, and only qualified voters of the County 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 as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

Section 5. A copy of this Ordinance shall be given to the Saline County Board of Election Commissioners so that the necessary election officials and supplies may be provided.

Section 6. The County Judge and County Clerk, 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 election as herein provided and, if the levying of the Voluntary Tax is approved by the electors, to cause the Voluntary Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Section 7. The provisions of this Ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance.

Section 8. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. It is hereby ascertained and declared that the Emergency Warning System and submission to the electors of Saline County, Arkansas of the question of levying the Voluntary Tax must be accomplished as soon as possible in order to construct and equip the Emergency Warning System in a manner adequate for the needs of Saline County, Arkansas and its inhabitants, without which the life, health, safety and welfare thereof are jeopardized, and that the taking of the other action authorized by this Ordinance is necessary for the accomplishment thereof. It is, therefore, declared that an emergency exists and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 24th day of August, 2006.

ATTEST:

Freddy Burton by DW
Freddy Burton, County Clerk

APPROVED:

Lanny Fite
Lanny Fite, County Judge

(SEAL)

SPONSOR:
FINANCE COMMITTEE
DOUG CURTIS - CHAIRMAN
OWEN BULLOCK - VICE-CHAIRMAN