

## ORDINANCE NO. 2151

### AN ORDINANCE AMENDING TITLE 6 TO CLARIFY CONTACT INITIATED BY VARIOUS CITY PERSONNEL WITH THE CITY ATTORNEY

**WHEREAS**, it is the intention of the Eureka Springs, Arkansas City Council to provide for increased contact between various City personnel and the City Attorney

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Eureka Springs that Chapter 2.32 is hereby amended as follows:

**Section 1.** That current Subsection 2.32.04 D is hereby replaced with:

The City Attorney shall be legal counsel to all administrative department supervisors, including the Chief of the Police Department, Chief of the Fire Department, city Building Inspector, and enforcing officers for local ordinances, with respect to matters pertaining to the execution by such supervisors of their respective duties and the administration of their respective departments. The Mayor, any other elected City Officials, the Chief of Police, the Fire Marshal, the city Building Inspector, the city Planner and all District Court personnel have the right to initiate direct communication with the City Attorney. All other city personnel and city officials and appointees shall submit written requests to the Mayor and receive his or her written approval before initiating communications with the City Attorney on new matters. This shall not prevent ongoing communication between any City personnel, city officials or appointees and the City Attorney over approved matters, nor shall it prevent any employee from initiating contact with the City Attorney if he or she witnesses another employee being or has personally been subjected to any type of discrimination in the work place.

**Section 2.** All provisions of the ordinances of the City of Eureka Springs in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the ordinances of the City of Eureka Springs not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 3.** Severability- Should any sentence, paragraph, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to

be invalid, illegal or unconstitutional, and shall not affect the validity of the Eureka Springs Municipal Code as a whole.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 14<sup>th</sup> DAY OF MAY, 2012**

APPROVED:



Morris Pate, Mayor

ATTEST:

  
Ann Armstrong, City Clerk/Treasurer

Aldermen voting "Aye" – Parker Raphael, Ken Pownall, Butch Berry, Lany Ballance, and James DeVito