

**ORDINANCE NO. 2176**

**AN ORDINANCE TO LEVY A ONE-EIGHTH OF ONE PERCENT (1/8%) SALES AND USE TAX IN THE CITY OF EUREKA SPRINGS, ARKANSAS, FOR A PERIOD OF FOUR (4) YEARS, TO BE USED BY THE EUREKA SPRINGS PARKS AND RECREATION COMMISSION EXCLUSIVELY FOR AND TO IMPROVE AND MAINTAIN LAKE LEATHERWOOD CITY PARK IN ACCORDANCE WITH THE APPROVED LAKE LEATHERWOOD CITY PARK MASTER PLAN, AND PRESCRIBING OTHER MATTERS THERETO**

**WHEREAS**, there is a great need for immediate improvement in the maintenance, improvement and programming of the Lake Leatherwood City Park and for a source of revenue to finance such services; and Arkansas law provides for a levy of a one-eighth (.125) of one percent (1/8%) city-wide sales and use tax;

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:**

**Section 1.** Under the authority of the Authorizing Legislation, there is hereby levied a one-eighth (.125) of one percent (1/8%) tax on the gross receipts from the sale at retail within the City of all items that are subject to the Arkansas Gross Receipts Tax Act of 1941, as amended (A.C.A. §26-52-101, et. seq.) and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the City of tangible or personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §26-53-101 et. seq.) at a rate of one-eighth (.125) of one percent (1/8%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively "the Sales and Use Tax").

**Section 2.** The Sales and Use Tax collections received by the City, after the State of Arkansas deducts its administrative charges, shall be used solely to assist in funding (a) capital improvements at Lake Leatherwood City Park; (b) maintenance at and of Lake Leatherwood City Park; (c) educational and recreational programming at Lake Leatherwood City Park; and (d) in accordance with the approved Lake Leatherwood City Park Master Plan.

**Section 3.** That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS THE 25th DAY OF MARCH, 2013.**

**ATTEST:**

  
City Clerk/Treasurer Ann Armstrong

**APPROVED:**

  
Mayor Morris Pate

All voted "Aye" – Terry McClung, James DeVito, Joyce Zeller, Mickey Schneider, David Mitchell and Dee Purkeypille