

ORDINANCE NO.1824A

**An Ordinance of the City of Eureka Springs, Arkansas,
Pertaining to the Gross Receipts Tax;
Adding a Section 4.32.04 to the Eureka Springs
Municipal Code to Allow the Levy of the
Gross Receipts Tax as Provided by Law on the
Elna M. Smith Foundation; and Providing an Effective Date**

WHEREAS, the legislature of the State of Arkansas (Act 1313 of 1999) has now provided that the City of Eureka Springs may levy a gross receipts tax upon certain tourist attractions abutting the city limits, without annexation of said tourist attraction, and

WHEREAS, the Elan M. Smith Foundation who is the owner of an attraction which abuts the limits of Eureka Springs has petitioned the City to be included in the levy and collection of the City Gross Receipts Tax as authorized by ACA §26-75-701 as amended; and

WHEREAS, the Council of the City of Eureka Springs believes that the levy and collection of said tax shall redound to the benefit of the City.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF EUREK SPRINGS, ARKANSAS, AS FOLLOWS:

Section One: That there is hereby added to the Eureka Springs Municipal Code a Section 4.32.04 which shall read as follows, to-wit:

“4.32.04 Tax to be collected by the Elna M. Smith Foundation.
That the gross receipts tax hereinabove provided for shall be levied and assessed upon the gross proceeds of that tourist attraction operated by the Elna M. Smith Foundation that abuts the City of Eureka Springs, Arkansas. That collection shall be governed by the laws applying to entities within the city limits subject to said tax as set forth in ACA §26-75-701 as amended.”

Section Two: That the passage of this ordinance shall in no way effect the ability of the City of Eureka Springs to annex the property owned by the Elna M. Smith Foundation if the Council of the City should in the future decide said annexation to be necessary and/or desirable.

Section Three: That this ordinance shall go into full force and effect thirty days after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EUREKA
SPRINGS, ARKANSAS, THIS _____ DAY OF _____, 1999.**

APPROVED:

Beau Zar Satori, Mayor

ATTEST:

Mary Ann Lee, City Clerk