

ORDINANCE NO. 1837

AN ORDINANCE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, PROVIDING FOR THE ELECTION BY WARD BY VOTE OF THE QUALIFIED ELECTORS OF THE WARD IN WHICH THEY ARE CANDIDATES; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND CALLING FOR AN ELECTION AT WHICH THE ISSUE SHALL BE DETERMINED BY THE QUALIFIED VOTERS OF EUREKA SPRINGS, ARKANSAS.

WHEREAS, the Council of the City of Eureka Springs, Arkansas, recognizes that this country was established upon principles of a representative form of government; and,

WHEREAS, the Council of the City of Eureka Springs, Arkansas, believes that a system whereby an alderman would be elected only by the voters of the electors of the ward from which the alderman is a candidate would assure equal representation by ward; and

WHEREAS, the Council of the City of Eureka Springs, Arkansas, believes that a system whereby each alderman would be elected only by the votes of the electors of the ward from which the alderman is a candidate, would, generally speaking, reduce the cost of running a campaign for the office of alderman, with the result that more qualified candidates would be encouraged to participate in the democratic process by offering themselves as candidates for the office of alderman; and

WHEREAS, Arkansas Code Annotated §14-43-307 provides that cities may by ordinance provide that all aldermen be elected by ward, rather than at large, in which event each alderman shall be voted upon by only the qualified electors of the ward from which he or she is a candidate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THAT:

Section 1. From and after the effective date of this ordinance, all aldermen in the City of Eureka Springs shall be elected by ward by vote only of the qualified electors for the ward in which they are a candidate, and the names of candidates in the respective wards shall be placed only on the ballots in the wards in which the candidates are running for office.

Section 2. The terms of incumbent aldermen shall not be affected hereby, it being expressly recognized that with regard to aldermen who might run for re-election, some will be affected by the provisions of this ordinance at the first primary election following the date of this ordinance and others not until subsequent primary elections.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 4. That each of the provisions of this ordinance are severable and the decision of any court having jurisdiction as to the validity of any provision shall not affect the remaining provisions.

Section 5. That this ordinance shall go into and be of full force and effect only if it is approved by the majority of votes cast at the Special Election of June 6, 2000, and in such case it shall be of full force and effect immediately.

IT IS SO ORDAINED this ____ day of _____, 2000.

APPROVED:

Zar Satori, Mayor Beau

ATTEST:

Mary Ann Lee, City Clerk