

## **ORDINANCE NO. 2002**

### **AN ORDINANCE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, TO SET AN ELECTION TO FUND THE IMPLEMENTATION OF AN ENHANCED 9-1-1 PUBLIC SAFETY COMMUNICATIONS CENTER, TO PROVIDE A SERVICE CHARGE TO FINANCE THE ENHANCED 9-1-1 PUBLIC SAFETY COMMUNICATIONS CENTER AND DECLARING AN EMERGENCY**

**WHEREAS**, the electors of Carroll County, Arkansas, voted on November 3, 1992, to approve the creation of a 9-1-1 Emergency Telephone System within Carroll County to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission; and

**WHEREAS**, since that time there has been operated in the City of Eureka Springs a Public Safety Communications Center, the cost of which relating to equipment leasing and maintenance of telephone lines has been included in the annual budget of Carroll County for the operation of the 9-1-1 Emergency Telephone System; and

**WHEREAS**, the Quorum Court for Carroll County is proceeding to adopt an ordinance which would discontinue the County's responsibility for maintaining the 9-1-1 Public Safety Communications Center in Eureka Springs and pass that responsibility onto the City of Eureka Springs with no financial assistance being offered by the County even though the County would continue to collect the service charge that was approved on November 3, 1992; and

**WHEREAS**, it is in the best interest of the residents of the City of Eureka Springs that a 9-1-1 Public Safety Communications Center continue to exist in Eureka Springs to assure quick and accurate responses to emergencies within the city limits and to be able to act as a backup to the County's 9-1-1 emergency telephone system in the event of its failure; and

**WHEREAS**, since the County will no longer use any part of the 9-1-1 service charge, a part of which is provided by the residents of Eureka Springs, to fund a Eureka Springs Public Safety Communications Center, it has become necessary to hold a special election in which the electors of Eureka Springs will be asked to approve or reject a proposal that will segregate the 9-1-1 service charge collected from the residents of Eureka Springs and to use the money to fund a 9-1-1 Public Safety Communications Center in Eureka Springs; and

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

1. An election will be held November 8, 2005, for the purpose of approving or rejecting an Ordinance whereby an Enhanced 9-1-1 Public Safety Communications Center will be implemented within the City of Eureka Springs, Arkansas.
2. At the election to be held on that date, the voters will be asked to vote upon the following question:

For Enhanced 9-1-1 Public Safety Communications Center within the City of Eureka Springs, Arkansas, to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission, which charge shall be in lieu of the charge that was approved by the electors of Carroll County on November 3, 1992, as it applies to the residents of Eureka Springs, Arkansas;

Or

Against Enhanced 9-1-1 Public Safety Communications Center within the City of Eureka Springs, Arkansas, to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission, which charge shall be in lieu of the charge that was approved by the electors of Carroll County on November 3, 1992, as it applies to the residents of Eureka Springs, Arkansas.

3. That all ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

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 effect the remaining provisions.

**EMERGENCY CLAUSE**

That a state of emergency exists because any disruption in the operation of the Enhanced 9-1-1 Public Safety Communications Center in Eureka Springs will have an adverse effect on the ability of the City of Eureka Springs to provide for the public peace, health, and safety of its citizens and therefore, this ordinance shall go into full effect immediately upon its passage.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005**

**APPROVED:**

\_\_\_\_\_  
**KATHY HARRISON, Mayor**

**ATTEST:**

\_\_\_\_\_  
**MARY JEAN SELL, City Clerk**

**CERTIFICATE**

The undersigned, City Clerk of the City of Eureka Springs, Arkansas (the City), hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. 2002, adopted at a regular session of the City Council of the City, held at the regular meeting place of the City Council at 6:30 p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, and that said Ordinance is of record in Ordinance Record Book No. \_\_\_\_\_ of the City, now in my possession.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
City Clerk

(SEAL)