

ORDINANCE NO. 1064

AN ORDINANCE AMENDING THE EUREKA SPRINGS MUNICIPAL CODE BY PROVIDING FOR THE APPOINTMENT OF A CITY HEALTH OFFICER AND RELATED MATTERS.

WHEREAS, provisions for a city Health Officer in the Eureka Springs Municipal Code were reserved at the time said Code was adopted; and

WHEREAS, the City Council has found that there is both a necessity and desirability for a city Health Officer:

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

Section 1. Eureka Springs Municipal Code amended.

Title 5 of the Eureka Springs Municipal Code is hereby amended by adopting the following provisions as Chapter 5.04, to-wit:

Chapter 5.04

HEALTH OFFICER

Sections:

- 5.04.01 Appointment, Qualifications
- 5.04.02 Powers and Duties

5.04.01 Appointment, Qualifications. It shall be the duty of the mayor to appoint a city Health Officer, said appointment to be approved by a majority vote of the city council. The office of City Health Officer shall be filled by a competent physician, legally qualified to practice medicine within the State of Arkansas, a graduate of a reputable medical college, and of reputable professional standing; after appointment he shall take and subscribe to the constitutional oath of office, and shall file a copy of his appointment with the Arkansas State Board of Health.

STATE LAW REFERENCE-see Ark. Stat. 82-205 - 82-207

5.04.02 Powers and Duties. The Health Officer shall perform all duties which may be prescribed for him under the directions, rules, regulations and requirements of the State Board of Health and all duties otherwise prescribed by State Law.

He shall investigate any matter affecting public health or sanitation within the city which may come to his attention. He shall have the authority to inspect, regulate and control disease prevention and suppression, and sanitation within the city, and his jurisdiction therefor shall specifically include the inspection, regulation and control of sanitation conditions in all business establishments within the city which deal with food and food products. He shall have the authority to require any unsatisfactory conditions of hygiene or sanitation affecting food, food products or food handling to be corrected, and failure or refusal to comply with such requirements shall be a violation and punishable.

Section 2. Emergency Declared.

The City Council has found that the appointment of a city Health Officer is essential to the public health, welfare, safety and peace. Because the City presently has no city Health Officer and no provision for the appointment of a city Health Officer, an emergency is hereby declared to exist and this Ordinance shall take effect upon its passage, approval and publication according to law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, WITH SECTION 2 BEING ADOPTED SEPARATELY, ON THIS 20TH DAY OF APRIL, 1979.

APPROVED:

Marcile Davis
Marcile Davis, Mayor

ATTEST:

Vesta C. Johnson
Vesta Johnson, City Clerk/Treasurer

(SEAL OF THE CITY)