

ORDINANCE NO. 751

AN ORDINANCE FIXING THE TIME FOR THE FILING OF REFERENDUM PETITIONS PROVIDED FOR BY AMENDMENT NO. 7 TO THE CONSTITUTION OF THE STATE OF ARKANSAS, AND REGULATING THE PROCEDURE THEREON.

BE IT ORDAINED by the City Commissioners of the City of Eureka Springs, Arkansas:

SECTION 1. All referendum petitions under Amendment No. 7 to the Constitution of the State of Arkansas must be filed with the City Clerk within thirty days after the passage of the measure upon which the referendum is sought.

SECTION 2. Whenever any referendum petition is filed the City Commission shall give notice by publication for one insertion of a time not less than five days after the publication of such notice at which they will hear all persons who wish to be heard on the question whether such petition is signed by the requisite number of petitioners. At the time named the City Commission shall meet and hear all who wish to be heard on the question, and its decision shall be final, unless suit is brought in the Chancery Court of Carroll County within thirty days to review its action.

SECTION 3. If the City Commission finds that such petition is signed by the requisite number of petitioners, it shall order a special election to determine by a vote of the qualified electors whether the ordinance shall stand or be revoked. The date for such election shall be not less than ten days after the order therefor has been made by the Commission, and said election shall be had and conducted as general municipal elections held in the City of Eureka Springs.

SECTION 4. If any ordinance referred to the people is defeated at the polls, the City Commission shall make note of such fact and shall expunge such ordinances from its files with red ink.

SECTION 5. If any provision of this ordinance is held to be void, it shall not affect the validity of the remainder, but the remainder shall stand.

SECTION 6. The City Commission hereby ascertains and declares that there will be in the near future the enactment of certain ordinances, resolutions and other matters pertaining to the issuance of auditorium refunding bonds, and that unless there is a limit fixed within which referendum petitions may be filed, there is danger of loss of life or property, and that therefore an emergency exists and this ordinance, being necessary for the preservation of the public peace, health and safety, shall become effective without delay immediately upon its passage.

Passed: _____, 1949.

Approved: _____ Mayor

Attest:

City Clerk

CERTIFICATE

I, the undersigned, City Clerk of the City of Eureka Springs, Arkansas, certify the foregoing to be a true copy of an ordinance duly passed by the City Commission at a meeting duly called and constituted, at which all the Commissioners were present and voted for the ordinance; that said ordinance now appears in Record Book _____, page _____, of the records of said City.

CERTIFIED this _____ day of _____, 1949.

City Clerk

(Seal)