

COPY

AN ORDINANCE AMENDING ORDINANCE NO. 821 TO PROVIDE FOR LEVING ADDITIONAL PRIVILEGE TAXES TO BE PAID BY SOUTHWESTERN BELL TELEPHONE COMPANY FOR THE YEAR 1970, AND EACH SUCCEEDING YEAR THEREAFTER UNTIL CHANGED; PROVIDING FOR THE PAYMENT THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Southwestern Bell Telephone Company [hereinafter sometimes referred to as "telephone company"] is duly authorized by ordinance to operate its telephone system and all businesses incidental to or connected with the conduct of a telephone business and system in the City of Eureka Springs, all beneficial to the inhabitants thereof residing in said municipality; and

WHEREAS, the telephone company is now and will be occupying the streets and alleys of this city for the purpose of operating and maintaining its telephone system and service to the municipality and the inhabitants and customers residing in said municipality; and

WHEREAS, the city is entitled to receive such just and reasonable taxes from the telephone company which the city may lawfully impose and the telephone company is entitled to pay.

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

SECTION I: Commencing with the year 1970, and each succeeding year thereafter until changed, the Southwestern Bell Telephone Company shall pay to the City of Eureka Springs for privilege taxes the sum of \$1,000.00 Dollars per year, in addition to the amount Southwestern Bell Telephone Company is obligated to pay per year, pursuant to Ordinance No. 821.

SECTION II: Payments to the city by Southwestern Bell Telephone Company for the additional taxes as provided for in Section I, shall be made quarterly.

SECTION III: The city recognizes the purposes and results of an order of the Arkansas Public Service Commission entered on December 10, 1957, in Docket U-21-81, relating to the treatment by the telephone company of all city special taxes. In so recognizing, the city expects that additional taxes,

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together with the cost of collection thereof, provided for by Section I, hereof, may be passed on to the customers of the telephone company in keeping with the provisions of said order of the Arkansas Public Service Commission.

SECTION IV: All ordinances and parts of ordinances that conflict herewith are hereby repealed. Provided, however, ordinance No. 821 is repealed only to the extent that same is in direct conflict herewith and nothing herein shall be construed to otherwise alter or change the terms or conditions of the present privileged authority under which the telephone company is operating.

SECTION V: It is hereby found by the City Council that there is an urgent need for additional revenues for the city. Therefore an emergency is declared to exist and this ordinance being necessary for the preservation and advancement of the public peace, health and safety shall be in full force and effect from and after the date of its approval.

PASSED and APPROVED this 20<sup>th</sup> day of November, 1969.

Charles B. Freeman  
Mayor

ATTEST:

J. R. ...  
City Clerk