

ORDINANCE NO. 975

AN ORDINANCE ESTABLISHING THE DUTIES AND REMUNERATION
OF THE CITY ATTORNEY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, the City Council of Eureka Springs, Arkansas recognizes the clear and compelling need for the duties and remuneration of the City Attorney of Eureka Springs, Arkansas to be clearly and unequivocally established and delineated; and

WHEREAS, the City Council of Eureka Springs, Arkansas recognizes that the City Attorney of Eureka Springs, Arkansas should receive a just and reasonable remuneration for the rendering of valuable professional services, as an Attorney At Law, for the benefit of the City of Eureka Springs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Eureka Springs, Arkansas:

Section 1. Duties of the City Attorney.

(a) The City Attorney shall attend all regular meetings of the City Council of Eureka Springs, Arkansas, for the purpose of officially advising the Mayor, City Clerk and Aldermen in their respective official capacities during such regular meetings.

(b) Between regular meetings of the City Council, the City Attorney shall render informal, oral, professional advice and opinions to the Mayor, City Clerk and Aldermen of the City of Eureka Springs, but such advice shall be rendered only with regard to the interests and affairs of the City of Eureka Springs as a duly incorporated municipality of the State of Arkansas.

(c) The City Attorney shall render informal, oral, professional advice and opinions to the Chief of Police of the City of Eureka Springs with regard to legal issues arising in the administration and operations of the Eureka Springs Police Department.

(d) The City Attorney shall render informal, oral, professional advice and opinions to the Chairman of the Planning Commission of the City of Eureka Springs, Arkansas with regard to the Zoning Ordinance Of The City, the amendments thereto, and the Ordinance creating such Planning Commission.

(e) The City Attorney shall render informal, oral, professional advice and opinions to the Chairman of the Board of Adjustment of the City of Eureka Springs, Arkansas with regard to the Zoning Ordinance Of The City and the amendments thereto.

(f) The City Attorney shall, subject to notice of not less than forty-eight (48) hours being given to the City Attorney by the Clerk of the Municipal Court of the Western District of Carroll County, Arkansas, represent the City of Eureka Springs as prosecutor in criminal matters before such Court in those cases where a defendant charged with a misdemeanor shall appear before such Court with his or her attorney and enter a plea of "Not Guilty" to that charge or where such a defendant shall appear with his or her attorney and such attorney shall contest the charge brought against his or her client for any reason whatsoever.

Section 2. Remuneration of the City Attorney.

(a) As remuneration for the performance of the duties expressly set forth in Section 1 of this Ordinance, the City Attorney shall receive the sum of One Hundred Seventy Five and no/100 (\$175.00) Dollars each month, such sum becoming due and payable on the last calendar day of the month in which such duties are performed.

(b) As remuneration for professional services rendered, as an Attorney At Law, for the benefit of the City of Eureka Springs by the City Attorney which are not expressly set forth as Duties of the City Attorney in Section 1 of this Ordinance, the City Attorney shall be paid a professional fee for such additional services rendered, including but not limited to the preparation of Pleadings, Ordinances, Resolutions, Notices, Announcements

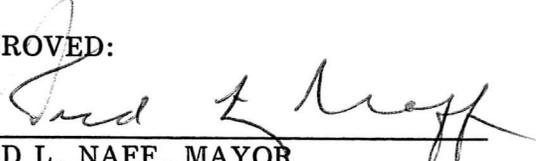
and Memoranda Of Law , and appearances in Court or at meetings not heretofore set forth , at the hourly rate of Twenty Five and no/100 (\$25.00) Dollars , and shall be reimbursed for all out-of-pocket expenses related to the rendering of such professional services , including mileage at the rate of Fifteen (15¢) Cents per mile , such remuneration to become due and payable on the last day of the month in which such professional services are rendered upon the presentation of a written statement for such remuneration by the City Attorney to the office of the City Clerk of Eureka Springs , Arkansas .

Section 3. Emergency Clause and Effective Dates of this Ordinance.

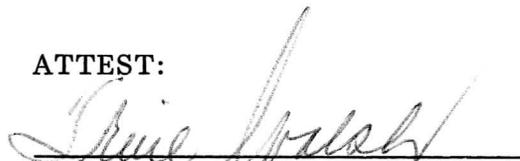
In the judgment of the City Council of Eureka Springs , Arkansas , the City of Eureka Springs is in such dire need of the services of an Attorney At Law as to create a hazard to the welfare of the inhabitants of the City of Eureka Springs , and the public welfare is thereby endangered , and an emergency is hereby declared to exist whereby this Ordinance shall become effective on the 1st day of January , 1975 , subsequent to its passage , approval and publication as provided by law ; and this Ordinance shall cease to be effective on the 1st day of January , 1976 .

PASSED AND ORDAINED by the City Council of Eureka Springs , Arkansas , on this 5th day of December , 1974 .

APPROVED:


FRED L. NAFF , MAYOR

ATTEST:


TRUIE S. WALSH , CITY CLERK