

LEVYING SALES AND USE TAX

**ORDINANCE NO 179**

**AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF CHERRY VALLEY, ARKANSAS, ON THE QUESTION OF TRANSFERRING THE SURPLUS FROM THE TEMPORARY SALES TAX TO HOUSE AN AMBULANCE SERVICE, POLICE DEPARTMENT, AND FIRE DEPARTMENT TO THE CITY PARK COMPLEX ACCOUNT TO BE USED FOR THE CHERRY VALLEY CITY PARK.; PRESCRIBING OTHER MATERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.**

*WHEREAS, THE City Council of the City of Cherry Valley, Arkansas (the "City"), has passed on May 12, 2022, Ordinance No.178 providing for the transfer of a surplus of \$19,937.65 from the temporary sales tax for a building to house an ambulance service, police department, and fire department, to the City Park Complex Account to be used for the Cherry Valley City Park; and*

*WHEREAS, the purpose of this Ordinance is to call a special election on the question of the transfer of said surplus to the City Park Complex Account for use on the Cherry Valley City Park;*

*NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Cherry Valley, Arkansas:*


**Section 1**

*That there be, and there is hereby called, a special election to be held on November 8, 2022, at which election there shall be submitted to the electors of the City the question of the transfer of said sales tax surplus of \$19,937.65 to the City Park Complex Account for use on the Cherry Valley City Park.*

**Section 2**

*That the question of said transfer shall be placed on the ballot for the election in substantially the following form:*

*Vote on measure by placing an "X" in the square opposite the measure either for or against:*

*FOR the transfer of the surplus of \$19,937.65 from the temporary sales tax for a building to house an ambulance service, police department, and fire department, to the City Park Complex Account for the use of the Cherry Valley City Park.. . . .* 

*AGAINST the transfer of the surplus of \$19,937.65 from the temporary sales tax for a building to house an ambulance service, police department, and fire department, to the City Park Complex Account for the use of the Cherry Valley City Park.....*

### Section 3

*That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections, unless otherwise provided in Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") and only qualified voters of the City shall have the right to vote at the election.*

### Section 4

*That the results of the election shall be proclaimed by the Mayor, and his Proclamation shall be published one time in a newspaper published in the City and having a general circulation therein, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.*

### Section 5

*That a copy of this Ordinance shall be given to the Cross County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.*

### Section 6

*That the Mayor and City Clerk, for and on behalf of the City, be, and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the transfer is approved by the electors, to cause the transfer in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.*

### Section 7

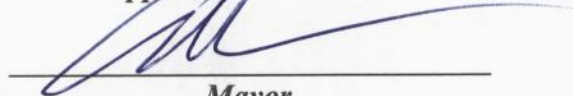
*That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.*

Section 8

*It is hereby ascertained and declared that there is a great need to utilize revenue for vital municipal services in order to promote and protect the health, safety and welfare of the City and its inhabitants. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health and safety, shall be in force and take effect immediately from and after its passage.*

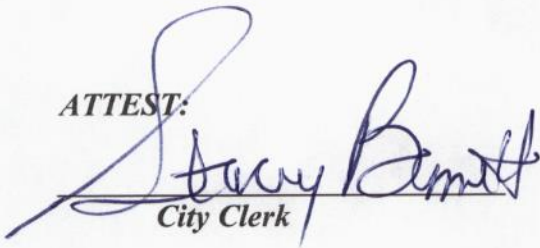
**PASSED: May 12, 2022.**

Approved:



Mayor

ATTEST:

  
City Clerk