

ORDINANCE 1965-1

AN ORDINANCE FIXING THE TIME FOR THE FILING OF REFERENDUM PETITIONS PROVIDED FOR BY AMENDMENT NUMBER SEVEN TO THE CONSTITUTION OF THE STATE OF ARKANSAS AND REGULATING THE PROCEDURE THEREON.

BE IT ORDAINED, by the Town Council of the Town of Brookland, Arkansas:

SECTION 1: All referendum petitions under Amendment No. 7 to the Constitution to the State of Arkansas appearing on pages 1076 to 1084, inclusive, of the Acts of the General Assembly of the State of Arkansas of the year 1925, must be filed with the Town Recorder within thirty (30) days after the passage of such Ordinance or Resolution.

SECTION 2: When any Referendum petition is filed, the Mayor, acting in behalf of the Town Council, shall give notice by publication, by one insertion in a newspaper having a general circulation in the Town of Brookland, and by posting in five (5) public places in the Town of Brookland of a time not less than five (5) days after the publication of such notice at which the Town Council will hear all persons who wish to be heard on the question whether said Petition is signed by the requisite number of petitioners. At the time named, the Town Council shall meet at its regular place of meeting 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 Craighead County, Arkansas within thirty (30) days to review its action.

SECTION 3: If the Town Council finds that such petition is signed by the requisite number of qualified petitioners, it shall order a special election to determine by a vote of the qualified electors whether the Ordinance or Resolution shall stand or be revoked

and fix a date which shall be not less than ten (10) days after the date of action of the Council calling the election. The Mayor shall publish a notice of the call of such election in not less than one issue of a newspaper having a general circulation in the Town of Brookland and posting in five (5) public places in the Town of Brookland not less than five (5) days prior to the date of the election, such notice shall designate by its number, caption and date of passage the ordinance which has been referred to the people for approval or rejection by their vote at such election. Otherwise, subject to the provisions of Amendment Seven to the Constitution of Arkansas and other applicable laws, said election shall be conducted in the manner provided by law for the conduct of a regular municipal election.

SECTION 4: If any Ordinance or Resolution referred to the people as defeated at the polls, the Town Council shall make note of such fact and shall expunge such Ordinance or Resolution from its vows by erasing the same 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: It is found and declared by the Town Council of Brookland, Arkansas that the health and welfare of citizens and the safety of persons and property are adversely by the lack of public water supply and such is possible only after passage of this Ordinance, and therefore an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED this 11th day of May, 1965.

ATTEST:

Lester Eldon
MAYOR.

Lester Eldon
RECORDER.