

ORDINANCE NO. 180

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF GOSHEN, ARKANSAS ON THE QUESTION OF LEVYING A ONE PERCENT (1.00%) SALES AND USE TAX WITHIN THE CITY OF GOSHEN, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the City of Goshen, Arkansas (the "City") has passed on November 26, 2019, Ordinance No.179 providing for the levy of an additional 1.00% sales and use tax within the City (the "Sales and Use Tax"), which when combined with the existing sales and use tax would increase the sales and use tax in the City of Goshen to 2.00%; and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax;

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

SECTION 1. There shall be, and there is hereby called, a special election to be held on March 3, 2020, at which election there shall be submitted to the electors of the City the question of the levy of the Sales and Use Tax.

SECTION 2. The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

1% SALES AND USE TAX

Vote on measure by placing an "X" in the square opposite the measure either FOR or AGAINST:

FOR adoption of a one percent (1.00%) local sales and use tax within Goshen, Arkansas

AGAINST adoption of a one percent (1.00%) local sales and use tax within Goshen, Arkansas

SECTION 3. 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. The results of the election shall be proclaimed by the Mayor, and the Proclamation shall be published one time in a newspaper having a general circulation in the City,

which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty (30) days after the date of publication.

SECTION 5. A copy of this Ordinance and the levying ordinance shall be filed with the Washington County Clerk within in the time required by Ark. Code Ann. §7-11-205. A copy of this Ordinance shall be given to the Washington 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 the Revenues of the State of Arkansas as soon as practical.

SECTION 6. The Mayor and City Recorder, for and on behalf of the City, 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 levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary in a timely fashion to carry out the authority conferred by the Ordinance.

SECTION 7. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. The provisions of this Ordinance are separable and if an article, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 9. It is hereby ascertained and declared that there is a great need to establish a stable source of revenue to finance 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 AND APPROVED this 25 day of November, 2019.


Cathy Oliver, Mayor

ATTEST:


Linda Moore, City Recorder

APPROVED AS TO FORM:


Josh Bailey, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names of those voting YEA

Names of those voting NAY

Colton Martin
Birch Wright
Angie Driver
Paula Anderson
John Vaillancourt
Bill Hewat

Absent

ROLL CALL VOTE ON THE EMERGENCY CLAUSE

Names of those voting YEA

Names of those voting NAY

Colton Martin
Birch Wright
Angie Driver
Paula Anderson
John Vaillancourt
Bill Hewat

Absent