

ORDINANCE NO. O-19-19

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

“AN ORDINANCE TO CALL A SPECIAL ELECTION IN GARLAND COUNTY, ARKANSAS, ON THE QUESTION TO ESTABLISH A FIRE PROTECTION DISTRICT; AND FOR OTHER PURPOSES.”

WHEREAS, in accordance with Arkansas Code Annotated §14-284-205 *et. seq.*, a Petition was filed with the Garland County Court. Said Petition filed with the Garland County Court contained ten percent (10%) or more verified and required signatures of qualified electors within the proposed fire protection district boundaries; and,

WHEREAS, said Petition contained a request for the establishment of a fire protection district within designated portions of Garland County, Arkansas; and,

WHEREAS, said Petition also contained a request for an assessment be made on assessed property within the district and be collected from the land owners to finance the operation of the Piney Fire Protection District; and,

WHEREAS, the Quorum Court of Garland County, Arkansas, in accordance with Arkansas Code Annotated §14-284-205, shall call a special election in accordance with Arkansas Code Annotated §7-11-201, to be held within the proposed fire protection district to determine whether a fire protection district shall be established for the area; and,

WHEREAS, the Finance Committee previously met and approved this request.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

SECTION 1. Pursuant to Arkansas Code Annotated §14-284-205, the Quorum Court of Garland County hereby directs an election to be held on July 9, 2019, in accordance with Arkansas Code Annotated §7-11-201, for the purpose of establishing and financing a fire protection district.

SECTION 2. At the special election regarding establishing and financing a fire protection district, the ballot shall read as follows:

"FOR the establishment of a fire protection district in a portion of Garland County, Arkansas and the levy of assessed benefits on real property in the district to finance the district."

“AGAINST the establishment of a fire protection district in a portion of Garland County, Arkansas and the levy of assessed benefits on real property in the district to finance the district.”

SECTION 3. The special election shall be held and conducted at the Departments of Emergency Management located at 401 Mid America Boulevard, Hot Springs, Arkansas on the

date set herein, with early voting and absentee ballots to be conducted in accordance with the Garland County Election Commission Rules and Guidelines, the votes canvassed, and the results declared under the law and in the manner provided for special elections and only qualified voters residing in the portion of the county in which the proposed District is located shall have the right to vote at the election.

SECTION 4. The results of the election shall be proclaimed by the County Judge, and his Proclamation shall be published one time in a newspaper having a general circulation in the county, which Proclamation shall advise that the results proclaimed shall be conclusive unless attacked in the courts within thirty (30) days after the date of publication.


SECTION 5. The County Judge and County Clerk or Recorder, for and on behalf of the County, be, and they are hereby authorized and directed to do any and all things necessary to call and hold the election as herein provided and to perform all acts of whatever nature necessary in a timely fashion to carry out the authority conferred by the Ordinance. All costs of, and related to, the election shall be borne by the requesting entity.

SECTION 6. *Severability.* In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, as if such invalid or unconstitutional provision were not originally a part of this ordinance.

SECTION 7. *Repealer.* All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

ATTEST: 
Sarah Smith
Garland County Clerk

APPROVED: 
Darryl Mahoney
Garland County Judge

SPONSOR: 
Matt McKee
Justice of the Peace

DATE: 5/6/19