

ORDINANCE NO. O-19-52

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

"AN ORDINANCE TO CONVERT A FIRE PROTECTION DISTRICT; AND FOR AN ORDINANCE DIRECTING QUALIFIED ELECTORS WITHIN THE FOUNTAIN LAKE FIRE PROTECTION DISTRICT TO ELECT MEMBERS OF THE BOARD OF COMMISSIONERS FOR SUCH FIRE PROTECTION DISTRICT AT A PUBLIC MEETING ON DECEMBER 12, 2019 AT 6:30 P.M."

WHEREAS, in accordance with Arkansas Code Annotated §14-284-226, a Petition was filed with the Garland County Court by the Fountain Lake Fire Protection Association. Said Petition filed with the Garland County Court asked that an ordinance to convert the association to a fire protection district be issued by the Garland County Quorum Court within 60 days of filing.

WHEREAS, said Petition contained a request by the governing body of the Fountain Lake Fire Protection Association for the conversion of a fire department serving outside a city or town to a fire protection district pursuant to Ark. Code Ann. §14-284-226 within designated portions of Garland County, Arkansas.

WHEREAS, said Petition also contained a request for an assessment be made on assessed property within the district and be collected from the landowners to finance the operation of the Fountain Lake Fire Protection District.

WHEREAS, said Petition also contained a request for an election to be held to elect members of the Board of Commissioners.

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

SECTION 1. Having had an opportunity to obtain answers to any questions the Quorum Court may have within sixty days of filing the Petition, the Quorum Court hereby converts the Fountain Lake Fire Protection District in the area designated on Exhibit "A" to the Petition filed hereon on October 14, 2019 pursuant to Arkansas Code Annotated §14-284-226;

SECTION 2. Pursuant to Arkansas Code Annotated §14-284-201 *et. seq.*, an assessment shall be made on assessed property within the district to be collected from landowners to finance the operation of the Fountain Lake Fire Protection District;

SECTION 3. Pursuant to Arkansas Code Annotated §14-284-208, the Quorum Court of Garland County hereby directs an election to be held at the Fountain Lake Fire Protection District main station at 7146 Park Avenue, Hot Springs, Arkansas at

6:30 p.m. on December 12, 2019 for the purpose of electing the Board of Commissioners for the District;

SECTION 4. Pursuant to Arkansas Code Annotated §14-284-208, there shall be five (5) Commissioners elected by Qualified Electors.

SECTION 5. Nominations for the Commissioners shall be taken prior to the election from the Qualified Electors present at the meeting on December 12, 2019;

SECTION 6. The Commissioners shall serve staggered terms in the following manner:

Positions 1-2 shall serve initial terms of two years;

Positions 3-5 shall serve initial terms of three years;

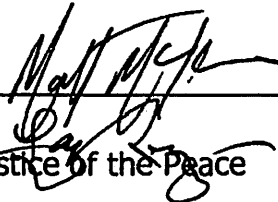
SECTION 7. After completion of initial terms, all successor members shall serve terms of three years and results declared under the law and in the manner provided for special elections and only qualified voters residing in the portion of the county in which the proposed District is located shall have the right to vote at the election. Subsequent elections for commissioners shall be held on the second Tuesday of December, with the first such election to take place on Tuesday, December 14, 2021 at a time to be determined by the Commissioners. The first election shall be for positions 1 and 2, with the next election to be for positions 3-5. Elections for Positions 1-2 shall be every 3 years after 2021 and elections for Positions 3-5 shall be every 3 years after the 2022 election.

SECTION 8. *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 9. *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: 
Justice of the Peace

DATE: 12/9/19