

ORDINANCE No. 2233

**AN ORDINANCE AMENDING EUREKA SPRINGS MUNICIPAL
CODE CHAPTER 1.37 INITIATIVE PETITIONS**

WHEREAS, the City Council of the City of Eureka Springs, Arkansas, has reviewed the current code provisions related to filing initiative petitions; and,

WHEREAS, the Arkansas State Constitution Article 5 Section 1 includes, "In municipalities and counties the time for filing an initiative petition shall not be fixed at less than sixty days nor more than ninety days before the election at which it is to be voted upon;" and,

WHEREAS, it has been determined that it is in the best interests of the City to amend the Municipal Code;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

SECTION 1. That Code chapter 1.37.01 shall be amended to read as follows:

1.37.01 Filing date. All initiative petitions under Amendment 7 to the Constitution of the state of Arkansas must be filed with the City Clerk Treasurer not less than sixty (60) days nor more than ninety (90) days before the proposed measure is to be voted upon. The City Clerk Treasurer will determine whether such petitions contain bona fide signatures of qualified electors at least equal to fifteen percent (15%) of the number of votes cast in the last Mayor's election.

SECTION 2. Severability Clause: In the event that any section, subsection, paragraph, subdivision, clause, phrase or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance, code section or chapter as a whole, or any part or provision other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance, Code, code section or chapter shall remain in effect.

SECTION 3. Repeal Clause: All Ordinances, Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THE 9th DAY OF NOVEMBER, 2015

ATTEST:


Ann Armstrong, City Clerk Treasurer

APPROVED:


Robert "Butch" Berry, Mayor

All voted "Aye" – Joyce Zeller, James DeVito, Bob Thomas, Mickey Schneider, Terry McClung, and David Mitchell