



Legislation Text

File #: ORD-78:1966, Version: 1

AN ORDINANCE TO AMEND ORDINANCE #1249, AN ORDINANCE WHEREBY THE CITY OF JONESBORO, ARKANSAS AND SOUTHWESTERN BELL TELEPHONE COMPANY, A MISSOURI CORPORATION, AGREE THAT THE TELEPHONE COMPANY SHALL CONTINUE TO OPERATE ITS TELEPHONE SYSTEMS AND ALL BUSINESS INCIDENTAL TO OR CONNECTED WITH THE CONDUCTING OF A TELEPHONE BUSINESS AND SYSTEM IN SAID CITY, AND ERECT AND MAINTAIN ITS PLANT CONSTRUCTION AND APPURTENANCES ALONG, ACROSS, ON, OVER, THROUGH, ABOVE AND UNDER ALL PUBLIC STREETS, AVENUES, ALLEYS, PUBLIC GROUNDS AND PLACES IN SAID CITY; THAT THE CITY SHALL RECEIVE AN ANNUAL PAYMENT FROM THE TELEPHONE COMPANY; AND REPEALING ALL ORDINANCES AND AGREEMENTS IN CONFLICT HEREWITH.

BE IT ORDAINED AND ENACTED by the City Council of the City of Jonesboro, Arkansas, to-wit:

Section 1: Section 2 of Ordinance #1249 as amended is amended as follows:

The Telephone Company shall pay to the City of Jonesboro, Arkansas for the year 1979, the sum of One Hundred Two Thousand Dollars (\$102,000.00) per annum, payable in semi-annual amounts of Fifty-One Thousand Dollars (\$51,000.00) with payments becoming due on or before June 30th and December 31st of 1979. This annual amount and method of payment shall continue through 1979 and thereafter until terminated as provided in Section 9 of this Ordinance. However, should the City receive a portion of any sales, income, or payroll taxes imposed by the State or the City upon persons residing or working within the corporate limits of the City, then the aforesaid annual payment shall be reduced in the year following the receipt of such taxing authority or tax payment to the greatest sum which will not result in a pass-on to the Telephone Company's subscribers under aforesaid Docket U-1281; that is, the greatest tax collectible from the Telephone Company without the tax being collected from telephone subscribers as an addition to the permissible rate for service.

Section 2: All Ordinance and/or parts of Ordinances in conflict herewith are hereby repealed to the extent of said conflict.

Section 3: Should any portion of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, then the remainder of this Ordinance shall not be affected by such partial invalidity.

Section 4: It is found and declared by the City Council that this Ordinance being necessary to generate sufficient revenues to maintain municipal services that an emergency is hereby declared to exist and this Ordinance being necessary for the preservation of the public peace, health and safety shall take effect from and after its passage and approval.

PASSED and ADOPTED this 4th day of December, 1978.