



## Legislation Text

File #: ORD-19:030, Version: 1

**AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS ON THE QUESTION OF LEVYING A ONE PERCENT (1.00%) SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; TO PROVIDE THAT ONE-HALF OF ALL NET COLLECTIONS DERIVED FROM THE SALES AND USE TAX SHALL BE USED TO FUND THE ACQUISITION, CONSTRUCTION, REPAIR, EQUIPPING, AND IMPROVING OF CAPITAL IMPROVEMENTS OF A PUBLIC NATURE FOR THE CITY'S POLICE AND FIRE DEPARTMENTS, AND FOR THE OPERATION, MAINTENANCE, AND STAFFING OF SUCH CAPITAL IMPROVEMENTS; TO PROVIDE THAT ONE-HALF OF ALL NET COLLECTIONS DERIVED FROM THE SALES AND USE TAX SHALL BE USED TO FUND THE ACQUISITION, CONSTRUCTION, REPAIR, EQUIPPING, AND IMPROVING OF CAPITAL IMPROVEMENTS OF A PUBLIC NATURE FOR THE ARTS, AQUATICS, BEAUTIFICATION, LIBRARIES, MUSEUMS, PARK FACILITIES, RECREATIONAL FACILITIES, SIDEWALKS, AND TRAIL SYSTEMS AND FOR THE OPERATION, MAINTENANCE, AND STAFFING OF SUCH CAPITAL IMPROVEMENTS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.**

**WHEREAS**, the City of Jonesboro, Arkansas (the "City") is a city of first class duly organized and existing under the laws of the State of Arkansas (the "State"); and

**WHEREAS**, the City Council of the City has passed on July 2, 2019, an Ordinance (the "Tax Ordinance") providing for the levy of a one percent (1.00%) sales and use tax within the City (the "Sales and Use Tax"), which shall be dedicated to and used to for the following purposes: (a) to acquire, construct, repair, equip, and improve capital improvements of a public nature for the City's Police and Fire departments, and to provide funds for the operation, maintenance, and staffing of such capital improvements; and (b) to acquire, construct, repair, equip, and improve capital improvements of a public nature directly related to arts, aquatics, beautification, libraries, museums, park facilities, recreational facilities, sidewalks, and trail systems, and to provide funds for the operation, maintenance, and staffing of such capital improvements; 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 for the purposes described above.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, AS FOLLOWS:**

**Section 1.** That there be and there is hereby called a special election to be held on Tuesday, September 10, 2019, at which election there shall be submitted to the electors of the City, the question of levying for collection within the City a one percent (1.00%) Sales and Use Tax levied pursuant to Title 26, Chapter 75, Subchapter 2 of the Arkansas Code on 1987 Annotated (the "Authorizing Legislation") to provide for the levy of a one percent (1.00%) sales and use tax within the City, which shall be dedicated to and used for the following purposes: (a) to acquire, construct, repair, equip, and improve capital improvements of a public nature for the City's Police and Fire departments, and to provide funds for the operation, maintenance, and staffing of such capital improvements; and (b) to acquire, construct, repair, equip, and improve capital improvements of a public nature directly related to arts, aquatics, beautification, libraries, museums, park

facilities, recreational facilities, sidewalks, and trail systems, and to provide funds for the operation, maintenance, and staffing of such capital improvements, and which Sales and Use Tax will expire not later than twelve (12) years after the date the Sales and Use Tax is first collected.

**Section 2.** The ballot shall be in substantially the following form:

OFFICIAL BALLOT  
Special Election

City of Jonesboro, Arkansas  
September 10, 2019

Vote on each question by placing an “X” in the square opposite the question either “FOR” or “AGAINST”:

FOR or AGAINST the levy of a one percent (1.00%) Sales and Use Tax, the net collections of which remaining after the State of Arkansas deducts its administrative charges and required rebates, shall be dedicated to and used by the City as follows: (a) one-half of all net collections derived from the Sales and Use Tax shall be used to acquire, construct, repair, equip, and improve capital improvements of a public nature for the City’s Police and Fire departments, and to provide funds for the operation, maintenance, and staffing of such capital improvements; and (b) one-half of all net collections derived from the Sales and Use Tax shall be used to acquire, construct, repair, equip, and improve capital improvements of a public nature directly related to arts, aquatics, beautification, libraries, museums, park facilities, recreational facilities, sidewalks, and trail systems, and to provide funds for the operation, maintenance, and staffing of such capital improvements, and which Sales and Use Tax will expire not later than twelve (12) years after the date the Sales and Use Tax is first collected.

FOR the levy of Sales and Use Tax.....

AGAINST the levy of Sales and Use Tax.....

**Section 3.** The City Clerk is authorized and directed to give notice of the election by one publication in a newspaper having general circulation within the City. Publication shall be made not less than ten (10) days prior to the date of the election or as otherwise provided by the laws of the State of Arkansas.

**Section 4.** 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 City elections unless otherwise provided in the Authorizing Legislation and only qualified voters of the City shall have the right to vote at the election.

**Section 5.** The results of the election shall be proclaimed by the Mayor (the “Proclamation”), and his 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 suit challenging the results is filed in the Circuit Court of Craighead County within thirty (30) days after the date of publication of the Proclamation.

**Section 6.** A copy of this Ordinance (a) shall be filed with the Craighead County Clerk at least sixty (60) days prior to the date of the special election, and (b) shall be given to the Craighead 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 Revenues of the State of Arkansas as soon as

practical.

**Section 7.** That the Mayor and the City Clerk, for and on behalf of the City, be, and they 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 laws of the State of Arkansas, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

**Section 8.** The provisions of this Ordinance are hereby declared to be separable and if any provisions shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance.

**Section 9.** All Ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 2nd day of July, 2019.