



## CITY OF WARD

P.O. BOX 237 • WARD, ARKANSAS 72176 • 501-843-7686

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### **Council Meeting Agenda** **July 15th, 2019 at 6:30 PM**

**I. Call To Order**

- a. Prayer
- b. Pledge of Allegiance

**II. Roll Call**

**III. Review/approval of June 17th, 2019 minutes**

**IV. Department Reports**

- a. Fire
- b. Police
- c. Parks & Rec
- d. Street
- e. Wastewater

**V. Commission Report**

- a. Planning Commission

**VI. Engineer Report**

**VII. Unfinished Business**

- a. Appointment of Council Member for Ward 2 Position 1
  
- b. RFP – Sanitation Contract

**VIII. New Business**

- a. CDBG Approval
    - Discussion
  
  - b. Street Aid Submittal
    - Discussion
-

- c. Amending O-2012-01, Establishing a policy for a Drug-Free workplace
  - Ordinance O-2019-07 (AN ORDINANCE AMENDING ORDINANCE 2012.01 AN ORDINANCE ESTABLISHING A POLICY FOR A DRUG-FREE WORKPLACE BE IT ORDAINED BY THE CITY COUNCIL OF WARD, ARKANSAS)
  - Public Comment
  
- d. Replacing O-00497, Establishing a fee upon the privilege to engage in Business
  - Ordinance O-2019-08 (AN ORDINANCE REPLACING CITY OF WARD ORDINANCE O-00497; AN ORDINANCE ESTABLISHING A FEE UPON THE PRIVILEGE TO ENGAGE IN BUSINESS, TRADE OCCUPATIONS, VOCATIONS, OR PROFESSION; AND PRESCRIBING MATTERS RELATING THERETO)
  - Public Comment
  
- e. Request to Invest Water/Wastewater Funds
  - Discussion
  
- f. Water and Sewer System Financial Statements and Additional Information with Independent Auditors' Report for the years ended December 31, 2018 and 2017
  - Discussion

**IX. Mayor's Report:**

**X. Public Comment on Non-Agenda Items**

**XI. Announcements**

Planning Commission Meeting: Tuesday, June, 25<sup>th</sup>, 7:00 pm  
Ward Chamber of Commerce: Tuesday, August 6<sup>th</sup>, 7 pm  
Ward City Council Meeting: Monday, August 19<sup>th</sup>, 6:30pm  
Census Day: April 1, 2020

**XII. Adjournment**



**Council Meeting Minuets – 06-17-2019**

- I. **Call To Order:** Meeting was called to order by Mayor Gastineau @6:30pm
  - a. Prayer
  - b. Pledge of Allegiance
  
- II. **Roll Call:** by City Clerk, Ruble. JoAnn Barrentine – Present, Jim Wier – Here, Robin Hefner – Present, Jimmy McMinn – Present, Art Brooke – Present. We had a Quorum
  
- III. **Review/approval of May 20th, 2019 minutes:**

The May 20<sup>th</sup>, 2019 Minutes were approved with a motion by Mr. Brooke and second by Mr. Wier. Discussion. Motion passes with a 5-0 voice vote.
  
- IV. **Department Reports**

A motion was made to approve the Department Reports by Mr. Brooke and second by Mr. Wier. Discussion. Department reports were accepted with a 5-0 voice vote.
  
- V. **Commission Report**

Mr. Brooke made a motion to approve final plat for Lilly Ann West Subdivision, second Mr. Wier. Discussion. Motion carries with a 5-0 Voice Vote.

A motion to approve the Planning Commission Report was made by Mr. Brooke, second by Mrs. Barrentine. Discussion. Commission Report was approved with a 5-0 voice vote.
  
- VI. **Engineer Report:** None
  
- VII. **Unfinished Business**
  - a. Ordinance O-2019-03 (AN ORDINANCE ADOPTING THE CITY OF WARD EMPLOYEE HANDBOOK) 3rd Reading: Mr. McMinn makes a motion to put O-2019-03 on 3<sup>rd</sup> Reading, second Mr. Wier. Discussion.

Mrs. Hefner made a motion to change sick leave accrued on page 33 to 2.5 hours accrued instead of 2 hours per pay period, second by Mr. Brooke. Discussion. Motion Failed with a 3-2 roll call vote. Mrs. Barrentine- Nay, Mr. Wier– Nay, Mrs. Hefner– Yea, Mr. McMinn– Nay, Mr. Brooke– Yea.

Mr. Wier made a motion we leave sick time as is, second by Mr. McMinn. Discussion. Motion passes with a 4-1 roll call vote. Mrs. Barrentine- Yea, Mr. Wier– Yea, Mrs. Hefner– Nay, Mr. McMinn– Yea, Mr. Brooke– Yea.

Mr. Wier makes a motion to keep page 63 as read by Mayor Gastineau, "As used in this policy, "employees and agents" means all City representatives, including its employees and other agents of the city, such as independent contractors & Planning Commission Members.", second Mrs. Heffner. Discussion. Motion carries with a 5-0 roll call vote. Mrs. Barrentine- Yea, Mr. Wier- Yea, Mrs. Hefner- Yea, Mr. McMinn- Yea, Mr. Brooke- Yea

Mr. Brooke makes a motion to keep page 67 as read by Mayor Gastineau "Definitions: Employee means any person employed by the municipality, and includes the Mayor, City Clerk, designated officers, full time, part time, contracted, or casual employees, including volunteers. I struck Mayor and City Clerk because they are not city employees." second by Mrs. Hefner. Discussion. Motion carries with a 5-0 roll call vote. Mrs. Barrentine- Yea, Mr. Wier- Yea, Mrs. Hefner- Yea, Mr. McMinn- Yea, Mr. Brooke- Yea

Mr. Wier makes a motion to adopt O-2019-03, second by Mr. McMinn. Discussion. Motion carries with a 5-0 roll call vote. Mrs. Barrentine- Yea, Mr. Wier- Yea, Mrs. Hefner- Yea, Mr. McMinn- Yea, Mr. Brooke- Yea

### **VIII. New Business:**

a. Mr. Brooke makes a motion to approve the council to have a rotation for voting that moves from one council member to the next, second by Mrs. Barrentine. Discussion. Motion carries with a 5-0 voice vote.

b. Resignation of Council Member Scott:

Mr. Brooke Makes a motion we accept the resignation and declare the position vacant, second Mr. Wier. Discussion. Motion carries with a 5-0 voice vote

Mr. Wier makes a motion to set the deadline for interested candidates in Ward 2 Position 1 to be 12 noon July 15<sup>th</sup>, 2019, second Mrs. Hefner. Discussion. Motion passes with a 5-0 voice vote.

c. VETO of R-2019-10: VETO stands.

d. City Hall Foundation Repair Estimates:

R-2019-16 (A RESOLUTION AUTHORIZING THE MAYOR AND/OR THE CITY CLERK OF THE CITY OF WARD TO ENTER INTO A CONTRACT TO REPAIR THE FOUNDATION TO CITY HALL.) Mr. Wier made a motion to accept Foundation Pro as the contractor, second Mr. McMinn. Discussion. Motion carries with a 5-0 roll call vote. Mr. Wier- Yea, Mrs. Hefner- Yea, Mr. McMinn- Yea, Mr. Brooke- Yea, Mrs. Barrentine- Yea

e. City of Ward Health and Safety Plan

R-2019-17 (A RESOLUTION ACKNOWLEDGING THE IMPORTANCE OF THE CITY OF WARD TO HAVE A HEALTH AND SAFETY PLAN FOR ITS EMPLOYEES; THAT THE SAFETY OF ITS EMPLOYEES IS ALWAYS THE FIRST CONSIDERATION IN THE OPERATION OF THE CITY; AND HAVING A PREVENTION AND RESPONSE PLAN IS PARAMOUNT TO THE SAFETY OF ITS EMPLOYEES.) Mr. McMinn makes a motion to accept R-2019-17, second by Mr. Wier. Discussion. Motion passes with a 5-0 roll call vote. Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine– Yea, Mr. Wier– Yea.

f. 2020 Parks and Tourism Fun Park and Matching Grant Program:

Mr. Brooke makes a motion to apply for the \$250,000 with up to 50% being reimbursed, second by Mr. Wier. Discussion. Motion passes with a 5-0 roll call vote. Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine– Yea, Mr. Wier– Yea, Mrs. Hefner– Yea.

g. City of Ward Agreement with Lemons Engineering for Parks and Tourism Fun Park and Matching Grant Program:

R-2019-18 (A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY OF WARD, ARKANSAS, AND LEMONS ENGINEERING CONSULTANTS, INC) Mr. Wier makes a motion to approve this agreement, second by Mr. McMinn. Discussion. Motion passes with a 5-0 roll call vote. Mr. Brooke– Yea, Mrs. Barrentine– Yea, Mr. Wier– Yea, Mrs. Hefner– Yea, Mr. McMinn– Yea.

h. Amending O-294 City of Ward Subdivision Regulation:

O-2019-05 (AN ORDINANCE TO AMEND ORDINANCE 0-294. CITY OF WARD SUBDIVISION REGULATION; TO REPEAL AND REPLACE SECTION 5.8- SIDEWALKS; AND FOR OTHER PURPOSES) Mr. Wier makes a motion we put O-2019-05 on its first reading, second Mrs. Barrentine. Discussion. Motion passes with a 5-0 roll call vote. Mrs. Barrentine– Yea, Mr. Wier– Yea, Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea.

Mr. Brooke makes a motion to suspend the rules and put O-2019-05 on its 2<sup>nd</sup> and 3<sup>rd</sup> reading, second Mr. Wier. Discussion. Motion carries with a 5-0 roll call vote. Mr. Wier– Yea, Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine– Yea.

Mr. Brooke makes a motion that we suspend the rules and put O-2019-05 up for adoption, second by Mr. Wier. Discussion. Motion carries with a 5-0 roll call vote. Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine– Yea, Mr. Wier– Yea.

i. Cross-Connection Program:

Ordinance O-2019-06 (AN ORDINANCE REPLACING CITY OF WARD ORDINANCE O-195; IMPLEMENTING THE CITY OF WARD CROSS-CONNECTION CONTROL PROGRAM TO HELP PROTECT THE PUBLIC WATER SYSTEM FROM BACKFLOW VIA EITHER BACKPRESSURE OR BACKSIPHONAGE; AND PRESCRIBING OTHER MATTERS THERETO) Mrs. Hefner made a motion to put O-2019-06 on its first reading, second by Mrs. Barrentine. Discussion. Motion carries with a 5-0 roll call vote. Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine- Yea, Mr. Wier– Yea, Mrs. Hefner– Yea.

Mr. Wier makes a motion to suspend the rules and put O-2019-06 on its 2<sup>nd</sup> and 3<sup>rd</sup> reading, second by Mrs. Barrentine. Discussion. Motion carries with a 5-0 roll call vote. Mr. Brooke– Yea, Mrs. Barrentine- Yea, Mr. Wier– Yea, Mrs. Hefner– Yea, Mr. McMinn– Yea.

Mr. Brooke makes a motion to suspend the rules and put O-2019-06 up for adoption, second by Mrs. Hefner. Discussion. Motion carries with a 5-0 roll call vote. Mrs. Barrentine- Yea, Mr. Wier– Yea, Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea.

Mr. Brooke makes a motion to enact the emergency clause and make O-2019-06 effective immediately, second by Mr. McMinn. Discussion. Motion carried with a 5-0 roll call vote. Mr. Wier– Yea, Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine- Yea.

j. SRTS/TAP Phase IV:

R-2019-19 (A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF WARD TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS) Mr. Brooke makes a motion to accept R-2019-19, second by Mr. Wier. Discussion. Motion carries with 5-0 roll call vote. Mrs. Hefner– Yea, Mr. McMinn– Yea, Mr. Brooke– Yea, Mrs. Barrentine- Yea, Mr. Wier– Yea.

k. Request for Proposal – Sanitation Contract:

Proposals are due at 2 pm on July 23, 2019. Following this deadline will be a Bid Opening at 4pm in the Mayor’s office with attendance from the Sanitation Committee.

Mr. Wier makes a motion to accept the Mayors explanation, second by Mrs. Hefner.

l. Execution of “CONFLICT OF INTEREST POLICY FOR MEMBERS AND OFFICIALS” (Refer to R-2016-01): All elected officials are asked to sign this and give to the City Clerk.

**IX. Mayor's Report:**  
As handed out by the Mayor.

**X. Public Comment on Non-Agenda Items:**  
Eric Harbort - Introduction

**XI. Announcements**

Planning Commission Meeting: Tuesday, June 25<sup>th</sup>, 7:00 pm  
Public Meeting to identify Wards Outdoor Recreation needs: Sat. June 29<sup>th</sup>, 10:00 am  
Ward Chamber of Commerce: Tuesday, July 2<sup>nd</sup>, 7 pm  
Ward 4<sup>th</sup> of July Celebration: Thursday, July 4<sup>th</sup>, 5pm Fireworks show at Dusk  
Crime Watch Organizational Meeting: July 11<sup>th</sup>, 6pm  
Ward Chamber of Commerce Building  
Census Day: April 1, 2020  
Ward City Council Meeting: July 15<sup>th</sup> @ 6:30

**XII. Adjournment:**

There being no further business, the meeting was adjourned with a motion by Mr. McMinn, second by Mrs. Hefner. Motion to adjourn passed with a 5-0 voice vote.

We, the undersigned Mayor and City Clerk for the City of Ward, do hereby verify the foregoing to be true and correct record of proceedings of the City of Ward Regular Meeting held on Monday, June 17, 2019 at 6:30pm.

APPROVED DATE: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

CITY SEAL



## CITY OF WARD

P.O. BOX 237 • WARD, ARKANSAS 72176 • 501-843-7686

CHARLES GASTINEAU  
MAYOR

COURTNEY RUBLE  
CITY CLERK

Date

State Aid Street Committee  
P. O. Box 38  
North Little Rock, AR 72115-0038

Dear Committee:

The City of Ward is requesting assistance from the State Aid Street Committee to improve the following city streets in Ward.

Priority	Street Name	Length	Type of Improvement
1	Markham St (Hwy 367 to RR)	940'	Street Widening
2	Markham St (RR to Brewer St)	2,174'	Street Widening
3	Helen St (Hwy 367 to Willow Lake Rd)	990'	Overlay
4	Wilson Loop (Brewer to Weatherwood)	2,900'	Overlay

**Economic Development, Public Access, or other purpose:** In March of this year, we had our streets evaluated by First Step Payment Management. While we have several streets that they coded as "Lost" or "Critical," the ones prioritized above would benefit the most for the money available at this time.

1. Markham is a major arterial street that is far too narrow for the amount of traffic it carries. Markham feeds four subdivision and three side roads with multiple house on them. Markham is considered "Lost."
2. Helen St is one of three side streets that feed the Willow Lake Subdivision; however, it is the most used access street to the subdivision. Helen St is considered "Lost." Overlaying this street would greatly extend it's life.



3. Wilson Loop is also a major arterial street that services four subdivision. Most of Wilson Loop is considered "Lost" and an overlay would help prolong the life of the street before it is widened at a future date.

Improvements to these streets are a high priority for the City. Any assistance will be greatly appreciated.

You may contact me at (501) 843-7686 or via email at [mayor@cityofward.com](mailto:mayor@cityofward.com)

Sincerely,

Charles Gastineau  
Mayor of Ward



**CITY OF WARD  
ORDINANCE O-2019-07**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WARD, LONOKE COUNTY, STATE OF ARKANSAS: AN ORDINANCE TO BE ENTITLED: "AN AMENDMENT TO ORDINANCE\_2012-10, AN ORDINANCE ESTABLISHING A POLICY FOR A DRUG-FREE WORKPLACE. BE IT ORDAINED BY THE CITY COUNCIL OF WARD, ARKANSAS, THAT;:"**

**WHEREAS**, it is appropriate for the City of Ward to have an established policy for a drug-free workplace, and that this policy be updated from time-to-time, as required;

**WHEREAS**, Ordinance O-2012-01 of the City of Ward and thereby Ward Municipal Code 2.40 is hereby amended as follows;

**SECTION 1:** Delete Section 3(a)(6) and replace with the following:

(6) Lifeguards, emergency medical technician, emergency services dispatchers, and rescue workers.

(7) Operators of heavy equipment, including front-end loaders, trucks, and riding lawn mowers, or other similar equipment, where the equipment is used around individuals, alongside the public right of way.

(8) Wastewater treatment plant operators, and water treatment operators.

(9) Other employees whose duties meet the definition of safety or security sensitive after consultation with and approval by the Arkansas Municipal League, and where the operation of a motor vehicle is not incidental to the employee's occupation.

**SECTION 2:** Add the following to Section 6

(6) Employees shall not abuse, knowingly overmedicate, inappropriately consume, otherwise mistreat any prescription drugs approved by the employee's physician.

(7) Employees shall not possess, smoke, or otherwise use medical marijuana while on city premises or while on duty.

**SECTION 3:** Change the 0.01 in Section 9(b) to 0.02.

**SECTION 4:** After "...released to return to duty." add the following to Section 9(b)

However, the employee may use accumulated leave time between the end of the original suspension and being released to return to work.

**SECTION 5: REPEAL:** Any portion or portions of the amendment adopted herein which are contrary to existing Ordinances of the City of Ward, Arkansas shall prevail and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of conflict.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Ward, Arkansas;

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019**

**YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_**

**APPROVED:**

\_\_\_\_\_  
Charles Gastineau  
Mayor

**ATTEST:**

\_\_\_\_\_  
Courtney Ruble  
City Clerk

DRAFT

**ORDINANCE NUMBER 0-2019-08**

**BUSINESS LICENSE FEE**

**AN ORDINANCE REPLACING CITY OF WARD ORDINANCE O-00497; AN ORDINANCE ESTABLISHING A FEE UPON THE PRIVILEGE TO ENGAGE IN BUSINESS, TRADE OCCUPATIONS, VOCATIONS, OR PROFESSION; AND PRESCRIBING MATTERS RELATING THERETO.**

**WHEREAS**, A.C.A. § 26-77-102 authorizes a city council to ordinances requiring any person, firm, individual, or corporation that shall engage in, carry on, or follow any trade, business, profession, vocation, or calling, within the cooperate limits of the city or town, to pay a license fee or tax.

**WHEREAS**, The City of Ward, Arkansas, in 1997 established a tax on all persons, firm, or corporation engaged in business, trade, vocation, or professions; and

**WHEREAS**, The City of Ward, Arkansas has determined that it is the best interest of the citizens of Ward to adjust the license payment schedule in order to meet the City's increased cost.

**SECTION 1 FEE SCHEDULE:** For the number of employees identified below, the fees will be as follows.

Number of Employees	1	2-10	11-25	26-75	76 and Above
Fees	\$25.00	\$50.00	\$150.00	\$300.00	\$500.00

**SECTION 2 – TRANSFER OF LICENSE:**

No license issued under this Ordinance shall be transferred.

**SECTION 3 – SUSPENSION OR REVOCATION OF LICENSE; CRITERIA:** The Mayor or City Clerk, may suspend or revoke a business license or permit when the licensee, officer, or partner thereof, or another person with a legal interest in the license:

- (1) Knowingly cause, aids, abets, or conspires with another to cause any person to violate any of the laws of this state or the city which may affect or relate to the licensed business;
- (2) Has obtained a license or permit by fraud, misrepresentation, concealment, or through inadvertence or mistake;

- (3) Is convicted of, forfeits bond upon, or pleads guilty of any offenses related to the operation of the licensed business;
- (4) Makes a misrepresentation or fails to disclose a material;
- (5) Violates any building, safety, fire or health regulation on the premises in which the business is located after receiving warning from the city to refrain from such violations;
- (6) Is in violation of a zoning regulation of the city; or
- (7) Is indebted or obligated to the city for past due fees or taxes;

#### **SECTION 4 – PROCEDURES FOR REVOCATION OR SUSPENSION:**

(1) When the Mayor or City Clerk determines that there is reasonable basis for suspending or revoking a business license, the Mayor or City Clerk shall notify the licensee by certified mail of the city's intention to suspend or revoke such license. The notice shall also state the reason for the suspension or revocation and the date that the suspension or revocation will become effective unless a hearing is requested. The suspension or revocation shall become effective seven days after the date of the notice is mailed to the licensee, within such seven-day period, files a written request with the Mayor or City Clerk for a hearing. The licensee shall state why the criteria in Section 2 does not apply to the business.

(2) **Hearing Procedure:**

- a. The Mayor or City Clerk, shall schedule and hold a hearing within 20 days following receipt of a request that meets the requirements in section (1) of this Section. The suspension or revocation will be stayed pending the decision by the Mayor or City Clerk after the hearing. At the hearing, both the licensee and the city shall be entitled to present evidence.
- b. Upon completion of the hearing, the Mayor or City Clerk shall make a decision about the suspension or revocation and shall deliver a written decision to the licensee.
  - i. If delivery is via mail, it shall be by certified mail. If the decision is to suspend or revoke the license, such action shall be effective one day after delivery of the decision, provided that the effective date shall be three days after the date of the mailing, if delivery is via mail. The decision shall be the final decision of the city.

- ii. If the decision is hand-delivered, it shall be delivered by a uniformed officer. The effective date shall be three days after hand-delivery. The decision shall be the final decision of the city.
- (3) Return of license upon revocation. Whenever a license is revoked, the licensee shall immediately return the license to the City Clerk. There shall be no refund of any part of the amount paid for the annual license. In order for the business to resume operations, city approval of a new application for a new license is required.

**SECTION 5-- LICENSE NOT CONSTRUED TO PERMIT PROHIBITED USES OR ACTIVITIES:**

Notwithstanding any provisions to the contrary, a license hereunder shall not be issued to any person who uses or occupies or proposes to use or occupy any real property or otherwise conducts or proposes to conduct any business in violation of the provision of any ordinance of the city or the statutes of the state. The granting of a business license shall in no way be construed as permission or acquiescence in a prohibited activity or other violation of the law.

**SECTION 5 – PENALTY:**

It is hereby declared a misdemeanor for any person, firm or corporation carrying on a business, profession or occupation within the city to fail and/or refuse to comply with any of the provisions of this division. Upon conviction for such violation, the offender shall be fined in amount not less than \$50.00 nor more than \$500.00 for each separate violation; provided, however, in no case shall the fine be in excess of double the amount of the license fee provided.

**SECTION 6 - REPEAL:**

Any portion or portions of the amendment adopted herein which are contrary to existing Ordinances of the City of Ward, Arkansas shall prevail and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of conflict.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Ward, Arkansas;

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019**

**YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_**

**APPROVED:**

\_\_\_\_\_

Charles Gastineau  
Mayor

**ATTEST:**

\_\_\_\_\_

Courtney Ruble  
City Clerk

**CITY OF WARD  
ORDINANCE NO. O-00497**

**AN ORDINANCE ESTABLISHING A TAX UPON THE PRIVILEGE TO ENGAGE IN BUSINESS, TRADE OCCUPATIONS, VOCATIONS, OR PROFESSION; AND DECLARING AN EMERGENCY, AND PRESCRIBING MATTERS RELATING THERETO.**

WHEREAS, The City of Ward, Arkansas has established a tax on all persons, firm, or corporation engaged in business, trade, vocations, or professions; and

WHEREAS, The City of Ward, Arkansas has determined that it is in the best interest of the citizens of Ward to adjust the license payment schedule in order to meet the City's increased cost; and

WHEREAS, This Ordinance being necessary for the immediate protection of public health, safety, and welfare of the citizens of Ward, Arkansas, an emergency hereby declared to exist;

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS:**

Section 1: That it shall be unlawful for any person, firm, or corporation to engage in, follow or carry on in the City of Ward, Arkansas, any business, trade, occupation, vocation, callings or professions without first having obtained and paid an annual license therefore from the city collector in the amount of which the license is hereby fixed by this ordinance.

Section 2: That the fee for licenses issued under authority or this ordinance shall be determined by the number of paid employees of the business, trade, occupation, vocation, or profession, including both full and part-time employees, as follows:

<u>Number of employees</u>	<u>Fee</u>
1	\$10.00
2-5	\$25.00
6-10	\$50.00
11 or more	\$75.00

Provided, however, when more than one business, trade, occupation, vocation, and profession are carried on at different locations, and under the same management, a license fee shall be placed for each separate location.



Section 3: That no license issued under this ordinance shall be transferred.

Section 4: Should any section of this ordinance be for any reason held void or invalid, it shall not affect the validity of any section or provision hereof which are not itself valid or invalid.

Section 5: All license fee for the first six months of 1997 shall be paid on or before July 1, 1997, in the amount of \$2.50. All license fees herein provided for shall correspond with the City of Ward's , fiscal year which begins July 1. Therefore, all license fees herein provided for, shall be paid in advance not later than the 1st day of September 1997, and each year thereafter on or before the 1st of September.

Section 6: It shall be unlawful for any person, firm, or corporation to knowingly and willfully make a false or verbal statement in making application for a license to the City Collector for the purpose of defrauding the City of Ward, Arkansas, by procuring a license for a less sum than is lawfully due. It shall be unlawful for any person, firm, or corporation to fail to furnish the City Collector any further reasonable proof as may be demanded by the City to properly determine the amount of the license.

Section 7: Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than double the amount of the annual license, and each day said violation shall constitute a separate offense.

Section 8: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9: It has been found and it is hereby declared that it is necessary to adjust license fees in order to ensure the preservation of the public peace, health and safety. Therefore, an emergency is hereby declared and this Ordinance being necessary for the preservation of the public peace, health, and safety, shall be in full force and effect immediately upon its passage and approval.

PASSED: June 17, 1997

APPROVED:

Larry Phillips  
MAYOR

ATTEST:

Muriel Seymour  
RECORDER/TREASURER