O-22- 105

ORDINANCE NO. _____

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, ON THE QUESTION OF INCREASING THE ANNUAL AD VALOREM PROPERTY TAX LEVIED FOR THE PURPOSE OF PAYING FOR THE MAINTENANCE AND OPERATION OF THE CITY'S PUBLIC LIBRARIES OPERATED BY THE NORTH LITTLE ROCK PUBLIC LIBRARY SYSTEM FROM THE EXISTING RATE OF THREE (3) MILLS TO THE NEW RATE OF FIVE (5) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF TAXABLE PROPERTY IN THE CITY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock ("the City") is a City of the first-class duly organized and existing under the laws of the State of Arkansas ("the State"); and

WHEREAS, the North Little Rock City Council, upon recommendation of the North Little Rock Public Library System (NLRPLS), has determined that in order to operate and maintain the City's public libraries it would be in the best interests of the City, NLRPLS and the patrons of the City's public libraries, to increase the existing ad valorem Tax levied on taxable real and person property within the City from the existing three (3) mills to a new rate of five (5) mills on the dollar of the assessed value of all taxable property in the City ("the Library Tax"); and

WHEREAS, the Library Tax may be levied under the authority of Amendment No. 30 to the Constitution of the State of Arkansas as amended by Amendment No. 72 to the Constitution of the State of Arkansas (together, "the Amendments") for the purposes of operating and maintaining the City's public libraries; and

WHEREAS, the purpose of the ordinance is to submit to the electors of the City the question of increasing the existing ad valorem Library Tax levied on taxable real and personal property within the City for the operation and maintenance of the City's public libraries from the existing three (3) mills to a new rate of five (5) mills on the dollar of the assessed value of all taxable property in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That there be, and there is hereby called, a special election to be held on **February 14, 2023**, at which election there shall be submitted to the electors of the City the question of the levy of the increase of the continuing Library Tax for the purpose of providing funds for the operation and maintenance of the City's public libraries.

SECTION 2: That the question of increasing the Library Tax shall be placed on the ballot for the election in substantially the following form:

Vote on measure by placing an "X" in the square opposite the measure either for or against:

FOR an increase from the existing three (3) mills tax to the new rate of five (5) mills tax levied on the assessed value of taxable real and personal property in the City of North Little Rock to be used for maintenance and operation of the public libraries in the City of North Little Rock operated by the North Little Rock Public Library System..... ☐

AGAINST an increase from the existing three (3) mills tax to the new rate of five (5) mills tax levied on the assessed value of taxable real and personal property in the City of North Little Rock to be used for maintenance and operation of the public libraries in the City of North Little Rock operated by North Little Rock Library System..... ☐

If the millage increase is approved, there will be levied a continuing annual ad valorem tax on the assessed value of all taxable real and personal property located with the City of North Little Rock at the rate of five (5) mills on the dollar of the assessed value of the taxable real and personal property within the City, the collection of which shall be dedicated to fund the operation and maintenance of the City of North Little Rock's public libraries operated by the North Little Rock Public Library System

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

SECTION 4: That the election shall be held and conducted and the vote canvassed and the resulted declared under the law and in the manner now provided for City elections, and only qualified electors of the City shall have the right to vote in the election.

SECTION 5: That the results of the election shall be certified by the Pulaski County Board of Election Commissions and shall be proclaimed by the Mayor, 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 attacked in the courts within thirty (30) days after the date of publication.

SECTION 6: That a copy of this Ordinance shall be given to the Pulaski 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 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 increase of the Library Tax is approved by the electors, to cause the current Library Tax to be designated as provided above, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

SECTION 8: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9: It is hereby ascertained and declared that there is an immediate need for the funding of the operation and maintenance of the libraries described in this ordinance in order to promote and protect the health, safety and welfare of the City and its inhabitants. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health and safety shall be in force and take effect immediately from and after its passage.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

ATTEST:

Terry C. Hartwick

Mayor Terry C. Hartwick

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:40 A.M. _____ P.M.

By A. Fields

DATE 11-22-22

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY S. Ussery