

# CALLING SPECIAL ELECTION

ORDINANCE NO. 43-6

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE ~~town~~  
OF GILBERT, ARKANSAS, ON THE QUESTION OF LEVYING  
A ONE PERCENT SALES AND USE TAX WITHIN THE CITY OF  
GILBERT, ARKANSAS; PRESCRIBING OTHER MATTERS  
PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the ~~town~~ Council of the ~~town~~ of GILBERT, Arkansas (the  
"town"), has passed on JULY 20, 1993, Ordinance No. 93-4 providing  
for the levy of a one percent (1 %) sales and use tax within the ~~town~~ (the  
"Sales and Use Tax"); 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;

NOW THEREFORE, BE IT ORDAINED by the ~~town~~ Council of the ~~town~~ of  
GILBERT, Arkansas:

**Section 1.** That there be, and there is hereby called, a special election  
to be held on OCT 12, 1993, at which election there shall be submitted  
to the electors of the ~~town~~ the question of the levy of the Sales and Use Tax.

**Section 2.** That the question of levying the Sales and Use 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 adoption of a ONE % local sales and use tax within the ~~town~~  
of GILBERT, Arkansas .....

AGAINST adoption of a ONE % local sales and use tax within the  
town of GILBERT, Arkansas .....

**Section 3.** That 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 municipal elections unless otherwise provided in Title 26,  
Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the  
"Authorizing Legislation") and only qualified voters of the ~~town~~ shall have the  
right to vote at the election.

**Section 4.** That the results of the election shall be proclaimed by the  
Mayor, and his Proclamation shall be published one time in a newspaper  
published in the City and having a general circulation therein, which Procla-  
mation shall advise that the results as proclaimed shall be conclusive unless  
attacked in the courts within thirty days after the date of publication.

**Section 5.** That a copy of this Ordinance shall be given to the SEARCY  
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 6.** That the Mayor and ~~town~~ Council, for and on behalf of the  
~~town~~ ~~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 Authorizing Legislation,  
and to perform all acts of whatever nature necessary to carry out the authority  
conferred by this Ordinance.

**Section 7.** That all ordinances and parts thereof in conflict herewith are  
hereby repealed to the extent of such conflict.

**Section 8.** It is hereby ascertained and declared that there is a great  
need to establish a stable source of revenue to finance vital municipal services  
in order to promote and protect the health, safety and welfare of the ~~town~~ 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: AUGUST 12, 1993.

ATTEST:

Emily Drew  
City \_\_\_\_\_

(SEAL)

APPROVED:

Bill Lander  
Mayor