

ORDINANCE NO. 0-80-4

AN ORDINANCE ESTABLISHING A PUBLIC SAFETY TAX, THE PROCEEDS OF WHICH WILL BE DESIGNATED TO FUND THE OPERATIONS OF THE FIRE DEPARTMENT AND POLICE DEPARTMENT OF THE CITY OF CONWAY, ARKANSAS:

WHEREAS, the City Council of the City of Conway has determined the need for adequate fire and police protection for the City of Conway; and

WHEREAS, there is declared a need for a revenue source to be styled a Public Safety Tax; and

WHEREAS, the City Council has found and determined that the expense for the provision of adequate police and fire protection may best be borne by the persons who require that protection; and

WHEREAS, these revenues from the Public Safety Tax shall be designated for the operations of the Fire and Police Departments and used in conjunction with other revenues for the maintenance of the public peace, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1. That a Public Safety Tax whose resources are designated for the operation of the Fire Department and Police Department is hereby established.

Section 2. That the said Public Safety Tax is hereby levied on all persons, corporations, businesses and other legal entities who are served by metered electric service and/or water and sewer service within the corporate limits of the City of Conway, Arkansas and shall be included on the monthly utility billing by the Conway Corporation in the following amounts:

Residential Customer	\$ 1.50 per month
Commercial Customer	\$ 5.00 per month
Industrial Customer	\$10.00 per month

Section 3. That the definition of residential, commercial, and industrial customer shall be that definition and classification employed by the Conway Corporation for its electric service billing purposes.

Section 4. That the Public Safety Tax shall be due and payable at the same time as and in conjunction with the Conway Corporation monthly billing for utility service and shall be subject to collection in the same manner.

The Conway Corporation shall remit to the Treasurer of the City of Conway all collections once a month less an administrative fee which shall be set initially by the Conway Corporation and may be adjusted as necessary.

*Failed
Special Election
3-25-80*

Section 5. It is hereby declared a misdemeanor for any person, corporation or other legal entity subject to this tax within the corporate limits of the City of Conway to fail and/or refuse to comply with any provisions of this ordinance and upon conviction shall be fined in an amount of not less than Ten (\$10) dollars nor more than One Hundred (\$100) dollars. Each failure and/or refusal to comply with the provisions of this ordinance shall be deemed a separate offense and a separate fine may be assessed upon conviction for such separate offense.

Section 6. That all provisions of this ordinance are declared to be severable and that should any portion hereof be found to be invalid for whatever reason the remainder of this ordinance shall nonetheless remain effective and in full force and effect.

Section 7. That this ordinance requiring payment of a Public Safety Tax shall expire and become null and void and no liability hereunder shall arise after December 31, 1982. This clause shall not, however, bar collection by whatever means deemed necessary and authorized herein or elsewhere of any tax obligation accrued during the period before December 31, 1982.

Section 8. That should this Ordinance be enacted by receiving a majority of the votes cast on it in the Special Election on the 25th day of March, 1980, and should proposed Ordinance No. _____ be enacted in like manner in said election, then the Ordinance receiving the greater number of "for" votes shall be effective and the Ordinance receiving the lesser number of "for" votes shall be null and void.

Section 9. That there is hereby found and declared to be an immediate need for the improvement of police and fire protection to directly benefit the public health, safety, and welfare of the City of Conway and the inhabitants thereof, and the collection of increased revenue through this Ordinance is immediately necessary for the accomplishing of these public benefits and purposes. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare shall be in full force and effect immediately upon and after its passage by vote of the people at a special election called for that purpose when the returns therefrom are certified by competent authority.

PASSED: _____

APPROVED:

Mayor

ATTEST:

City Clerk