

ORDINANCE NO. 15-03

AN ORDINANCE ESTABLISHING CAMMACK VILLAGE URBAN SERVICE DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, there has been filed with the City Clerk of the City of Cammack Village, Arkansas, a petition (the “Petition”) purporting to be signed by more than twenty-five percent (25%) of the electors to be affected and situated within the territory described on **Exhibit “A”** which is attached hereto and incorporated herein by reference (the “Property”), praying that an urban service district be established for the purposes set forth herein below; and

WHEREAS, after due notice and an official public hearing, as required by law, the Mayor and the City Council of the City of Cammack Village, Arkansas (the “City Council”), have heard all parties desired to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMMACK VILLAGE, ARKANSAS:

SECTION 1: That more than twenty-five percent (25%) of the electors of this proposed urban service district (The Cammack Village Urban Service District) signed the Petition, attached hereto as **Exhibit “B”**, and there is hereby established an urban service district (the “District”) under Chapter 95 of Title 14, Subtitle 5 of the Arkansas Code of 1987 Annotated (the “Act”) within the Property, for the purposes of providing the following services: Police protection; public safety and security; Baker Park maintenance and improvements; pool maintenance and improvements; tennis Courts maintenance and improvements; general maintenance of city grounds and City Hall; and other needs of the City, in compliance with Arkansas law’s stated purposes of an Urban Service District, as determined by the Urban Service District Board. The above purposes and services are for the convenience and/or necessity of this District. The notion of creating a walking trail has been discussed at public meetings. No Urban Service District fees will be used for this purpose.

A map containing the boundaries of the District is attached hereto. See **Exhibit “A”**.

The District shall be known as “The Cammack Village Urban Service District.”

The method for administrating this District is set forth below.

An initial board of three to five members shall comprise the initial Urban Service District Board. The Board shall be governed by a separate set of bylaws. These individuals shall be appointed by the City Council to aid the City in the administration of the District as provided in the Petition. They will report to the Mayor and the City Council. This board will approve all single item expenditures of \$5,000.00 or more with respect to the Urban Service District and will assist the City as requested by the City with the annual budget process. Any successors to the initial board shall be selected as set forth in the Petition.

SECTION 2: A service charge/fee of \$20.00 per month shall be made to the households within the District which shall be an equal amount for each residential household. The billing frequency for the charges shall be a monthly fee.

The estimated annual cost of the services provided by the District is \$96,000.00.

The service charges shall be collected by and through an agreement with Central Arkansas Water and shall be an addition to the monthly water and sewer bill collected by Central Arkansas Water/Utility Billing Services and then remitted to the City of Cammack Village to be allocated to a fund for the exclusive benefit of the District, to begin as soon as administratively feasible following passage of this Ordinance and in accordance with the Act. The Mayor of the City of Cammack Village is authorized to execute such agreement or agreements with Central Arkansas Water and/or Utility Billing Services.

The service charges/fees shall be levied for a period of no longer than ten (10) years from the date of the adoption of this Ordinance and will not continue thereafter except upon a new petition from electors in the District and by passage of a new authorizing ordinance by the City of Cammack Village pursuant to the provisions of the Act.

SECTION 3: Any Ordinance or parts of ordinances that are in conflict herewith are hereby repealed to the extent that they conflict with this Ordinance.

SECTION 4: It has been found, and it is hereby declared, by the City Council that there is an immediate need within the City of Cammack Village, Arkansas, for the improvements described above in this Ordinance including but not limited thereto the need to provide additional police protection and any applicable police equipment as needed as a result of the ever present crime surrounding the City of Cammack Village and that the creation of the district and imposition of the monthly fee of \$20 is the only and best practical means whereby these improvements may be accomplished; THEREFORE, an emergency is declared, and this Ordinance, being necessary for the preservation of public peace, health and safety, shall be in full force and effect upon its passage and approval.

PASSED:

APPROVED:

Mayor David Graf

Pam Stewart, City Recorder

APPROVED AS TO FORM:

Samuel S. High, City Attorney