

ORDINANCE NO. 148

**AN ORDINANCE CALLING A SPECIAL ELECTION
IN THE CITY OF GOSHEN, ARKANSAS ON THE
QUESTION OF LEVYING A NEW ONE PERCENT (1%) SALES
AND USE TAX WITHIN THE CITY OF GOSHEN, ARKANSAS;
AND PRESCRIBING OTHER MATTERS PERTAINING THERETO**

WHEREAS, the City Council of the City of Goshen, Arkansas (the "City") has passed on March 6, 2018, Ordinance No. 147 providing for the levy of a new 1% sales and use tax within the City (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 City Council of the City of Goshen, Arkansas:

SECTION 1. There shall be, and there is hereby called, a special election to be held on May 22, 2018, at which election there shall be submitted to the electors of the City the question of the levy of the Sales and Use Tax.

SECTION 2. The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

1% SALES AND USE TAX

Vote FOR or AGAINST adoption of a 1% local sales and use tax within the City of Goshen.

FOR the 1% Sales and Use Tax

AGAINST the 1% Sales and Use Tax

SECTION 3. 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 City shall have the right to vote at the election.

SECTION 4. The results of the election shall be proclaimed by the Mayor, and the 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 days after the date of publication.

SECTION 5. A copy of this Ordinance shall be filed with the Washington County Clerk at least 70 days prior to the election date. A copy of this Ordinance shall be given to the Washington 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. The Mayor and City Recorder, 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 levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

SECTION 7. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. The provisions of this Ordinance are separable and if an article, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

PASSED AND APPROVED this 6th day of March, 2018.



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson
Andy Bethell

Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon