

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING AND RATIFYING A PETITION FOR CONSOLIDATION OF THE CITY OF BETHEL HEIGHTS, ARKANSAS, INTO THE CITY OF SPRINGDALE, ARKANSAS, AND CALLING FOR A SPECIAL ELECTION, PURSUANT TO ARK. CODE ANN. §14-40-1201, *et seq.*, AND TO DECLARE AN EMERGENCY.**

**WHEREAS**, the City Clerk for the City of Springdale has been presented petitions calling for the consolidation of the City of Bethel Heights into the City of Springdale, pursuant to Ark. Code Ann. §14-40-1201, *et seq.*;

**WHEREAS**, the City Clerk for the City of Springdale has determined that the petitions are sufficient, as they are signed by the requisite number of qualified electors as provided by Ark. Code Ann. §14-40-1201, *et seq.*, and a copy of the Certificate signed by the City Clerk for the City of Springdale is attached hereto as Exhibit "A";

**WHEREAS**, the City Clerk for the City of Bethel Heights has been presented petitions calling for the consolidation of the City of Bethel Heights into the City of Springdale, pursuant to Ark. Code Ann. §14-40-1201, *et seq.*;

**WHEREAS**, the City Clerk for the City of Bethel Heights has determined that the petitions are sufficient, as they are signed by the requisite number of qualified electors as provided by Ark. Code Ann. §14-40-1201, *et seq.*, and a copy of the Certificate signed by the City Clerk for the City of Bethel Heights is attached hereto as Exhibit "B";

**WHEREAS**, Ark. Code Ann. §14-40-1201 provides that if the City Clerk of the respective municipalities decides the petitions are sufficient, the Clerks shall notify the petitioners in writing and shall present the petition to the city council of the larger municipal corporation;

**WHEREAS**, Ark. Code Ann. §14-40-1201(b)(1)(A) provides that when the petitions are presented to the City Council of the larger municipal corporation, the City Council shall pass an ordinance in favor of the annexation and approving and ratifying the petition;

**WHEREAS**, the City wishes to allow the voters of the City of Springdale and the City of Bethel Heights to exercise their statutory right to decide the issue of the consolidation of the City of Bethel Heights into the City of Springdale at a special election;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that:**

**Section 1.** Pursuant to Ark. Code Ann. §14-40-1201(b)(1), the petitions calling for the consolidation of the City of Bethel Heights into the City of Springdale are hereby approved and ratified, and the City is in favor of the annexation/consolidation of the City of Bethel Heights into the City of Springdale.

**Section 2.** Pursuant to Ark. Code Ann. §14-40-1201(b)(2), the petitioners' representative(s) are directed to file the petitions, together with a certified copy of this Ordinance, in the office of the County Clerk of Washington County, Arkansas, and the County Clerk of Benton County, Arkansas.

**Section 3.** Upon presentment of the aforementioned, a special election shall be called on the question of the consolidation of the City of Bethel Heights into the City of Springdale, as provided by Ark. Code Ann. §14-40-1202, and the Mayor and City Council of each of the municipal corporations shall select two (2) judges and one (1) clerk for each of the wards or

other divisions having the qualifications of electors, to act as judges and clerks of election within the respective wards.

**Section 4. EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED:

\_\_\_\_\_  
Ernest B. Cate, City Attorney