

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

**AN ORDINANCE ABOLISHING THE STONE LINKS DRIVE URBAN SERVICE DISTRICT NO. 2 OF NORTH LITTLE ROCK, ARKANSAS; REPEALING ORDINANCE NO. 8891; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, a petition was filed with the City Clerk of the City of North Little Rock, Arkansas (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 in the Petition (the "Property"), praying that an urban service district be established for the purposes set forth hereinbelow; and

WHEREAS, after due notice as required by law, the City Council of the City of North Little Rock, Arkansas (the "City Council") heard all parties desired to be heard and established Stone Links Drive Urban Service District No. 2 of North Little Rock, Arkansas ("the District") through the adoption of Ordinance No. 8891 on March 3, 2017; and

WHEREAS, pursuant to law codified at A.C.A. § 14-95-201(2)(C), persons living within the District filed written protest within 30 days of the notice that the District had been formed; and

WHEREAS, the City Clerk determined that the petitions protesting the establishment of the District fell close, but short of the fifty percent (50%) required by A.C.A. § 14-95-201(2)(C); and

WHEREAS, the City Clerk examined further and also determined that the petitions establishing the District fell short of the twenty-five (25%) required by A.C.A. § 14-95-201(1); and

WHEREAS, pursuant to A.C. A. § 14-95-302 the City Council is empowered, upon notice and public hearing, to abolish an urban service district; and

WHEREAS, in light of the large number of protesting residents and the apparent insufficiency of the petition to form the District, the City Council believes that the District should be abolished.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the "Stone Links Drive Urban Service District No. 2 of North Little Rock, Arkansas" established by Ordinance No. 8891 adopted March 3, 2017 is hereby abolished.

SECTION 2: That Central Arkansas Water shall be directed to discontinue effort to collect service charges for the "Stone Links Drive Urban Service District No. 2 of North Little Rock, Arkansas."

SECTION 3: That the North Little Rock Budget is hereby amended to remove references to the receipt and disbursement of funds for the "Stone Links Drive Urban Service District No. 2 of North Little Rock, Arkansas."

SECTION 4: Ordinance No. 8891 is hereby repealed. Further, any ordinance or parts of ordinances that are in conflict herewith are hereby repealed to the extent they conflict with this ordinance.

SECTION 5: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 6: It has been found, and it is hereby declared, by the City Council that there is an immediate need to only assess residents of urban service districts for charges according to the law and the will of the residents and that these objectives were not previously met; 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:

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APPROVED:

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Mayor Joe A. Smith

SPONSOR:

Joe A. Smith  
Mayor Joe A. Smith *by AF*

ATTEST:

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter  
C. Jason Carter, City Attorney *by AF*

PREPARED BY OFFICE OF THE CITY ATTORNEY

FILED	<u>10:35</u>	(A.M.)	_____	P.M.
By	<u><i>Diane Whitbey, City Clerk</i></u>			
DATE	<u>5/2/12</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u><i>AF</i></u>			