

Regular Meeting: October 9, 2023

ORDINANCE NO. 2023- 25

**AN ORDINANCE OF THE
CITY OF FAIRFIELD BAY, ARKANSAS,
AMENDING MUNICIPAL CODE
CHAPTER 3.04 - PURCHASES;
DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES.**

WHEREAS, The City Council, as part of its on-going review of City finances, and as part of its obligations to manage the City's budget, has concluded that additional limitations on spending are necessary to promote the fiscal efficiency and financial integrity of the City of Fairfield Bay; and

WHEREAS, The City Council has requested a change to Chapter 3.04 of the Municipal Code, concerning fiscal affairs, and effectively asks for repeal of parts of Ordinance No. 2012-05 (passed on September 10, 2012);

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRFIELD BAY, ARKANSAS:

1. **CODIFICATION REQUIRED:** That Chapter 3.04 of the Municipal Code of the City of Fairfield Bay be ,and it is hereby, **AMENDED**, so that it reads as follows:

* * *

3.04.02 Contracts without approval The Mayor is also authorized to enter into any legal commitment for public purpose contracts for the City for amounts up to *Five Thousand Dollars (\$5,000.00)* ~~*Twenty Thousand Dollars (\$20,000.00)*~~ without prior approval of the City Council, in accordance with applicable State laws, *for any item previously approved in a Budget Ordinance or Resolution.*

3.04.03 Report to City Council Any purchase, expenditure or commitment made by the Mayor under *Sections* 3.04.01 or 3.04.02 above, shall be reported to the City Council at the next regular monthly meeting of the City Council. The Council shall, at that time, consider and determine whether and to what extent the Emergency Fund should be replenished and review any contracts or expenditures by the Mayor for amounts up to *Five Thousand Dollars (\$5,000.00)* ~~Twenty Thousand Dollars (\$20,000.00)~~ or less.

3.04.04 Contracts and Purchases All contracts and purchases in excess of *Five Thousand Dollars (\$5,000.00)* ~~Twenty Thousand Dollars (\$20,000.00)~~ shall be made in accordance with applicable state law.

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2. NOT TO BE CODIFIED: That the Municipal Code, Chapter 3.04 be, and it is hereby, AMENDED, accordingly, specifically with items in *bold italics*, above. That the Municipal Code be, and it is hereby, REPEALED, and Ordinance No. 2012-05, be, and it is hereby REPEALED, accordingly, and both items specifically by repealing language set forth in **boldfaced words interlineated above, as in the following example (language repealed)**, to the extent set forth as interlineated language.

3. NOT TO BE CODIFIED: The Mayor and the Recorder-Treasurer be, and they are hereby, AUTHORIZED AND APPROVED TO TAKE ANY AND ALL ACTIONS, INDEPENDENTLY, NECESSARY TO IMPLEMENT THIS ORDINANCE IN A TIMELY MANNER.

4. NOT TO BE CODIFIED: **EMERGENCY CLAUSE.** It is necessary for the efficient operation of Municipal Government that the City limit certain spending, AND

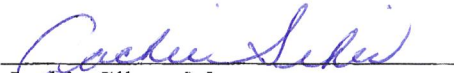
FURTHER that the City maintain sufficient liquidity in its accounts in order timely to meet payroll obligations, including withholding obligations and other mandatory payments; now, therefore, **AN EMERGENCY IS DECLARED TO EXIST**, and this Ordinance being necessary for the preservation of the public peace, health, safety, and welfare, as well as for the preservation of the City's fiscal integrity, IT SHALL BE IN FULL FORCE AND EFFECT:

- a. IMMEDIATELY UPON AND AFTER ITS PASSAGE, if signed by the Mayor;
- b. At 12:01 a.m. on the 5th calendar day following passage by the City Council if not signed by the Mayor;
- c. On the date of any meeting, including any Special Meeting of the City Council, if vetoed by the Mayor, and the City Council overrides such veto.

5. NOT TO BE CODIFIED: **SEVERABILITY CLAUSE**: If any provision of this Ordinance, or the application thereof, to any person or circumstance is held invalid for any reason, such invalidity shall not affect other provisions or applications of this Ordinance, which shall be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

DATED: **October 9, 2023.**

APPROVED:


Jackie Sikes, Mayor

ATTEST:


Rosie M Ostronic Owen, City Recorder/Treasurer

Reviewed and approved:
AJ Kelly
Kelly Law Firm, PLC
PO Box 251570
Little Rock AR 72225-1570
Rev: 10/9/23