

2018 AUG 13 AM 8: 26

ORDINANCE NO. 18-781**ORDINANCE PROVIDING FOR THE LEVY
OF AN ADDITIONAL SEVEN-EIGHTHS OF ONE PERCENT (0.875%)
LOCAL SALES AND USE TAX WITHIN THE CITY OF GENTRY, ARKANSAS;
And PRESCRIBING OTHER MATTERS PERTAINING THERETO.**TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

WHEREAS, the City Council of the City of Gentry, Arkansas has determined that there is a great need for immediate improvement of municipal services and for a source of revenue to finance such services; and

WHEREAS, Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") provides for the levy of a citywide local sales and use tax in the amount of one-eighth of one percent (0.125%), one-fourth of one percent (0.25%), one-half of one percent (0.5%), three-fourths of one percent (0.75%), one percent (1%), or any combination of these amounts for the benefit of the city (which would not exceed two and five-eighths (2.625%) in the aggregate).

WHEREAS, the City of Gentry has previously from time to time levied a one and one-eighth percent (1.125%) citywide local sales and use tax and desires to increase that levy by an additional seven-eighths of one percent (0.875%).

NOW, therefore, be it ordained by the City Council of the City of Gentry, Arkansas;

- Section 1: Under the authority of the Authorizing Legislation, there is hereby levied an additional seven-eighths of one percent (0.875%) tax on the gross receipts from the sale at retail within the City of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §26-52-101, et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the City of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §26-53-101, et seq.) at the additional rate of seven-eighths of one percent (0.875%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the "Additional Sales and Use Tax").
- Section 2: The 7/8's of one percent Additional Sales and Use Tax proceeds shall be dedicated to the following uses:
- a. ¼ of 1% shall be used for Public Safety (Police, Fire and Ambulance services);
 - b. 1/8 of 1% shall be used for Street Improvements; and
 - c. ½ of 1% shall be used for City of Gentry General Fund uses.
- Section 3: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
- Section 4: That this Ordinance shall not take effect until an election is held on the question of levying the Sales and Use Tax at which a majority of the

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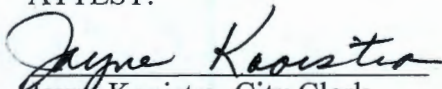
electors voting on the question shall have approved the levy of the Sales and Use Tax.

Section 5:

Emergency Clause. The City Council expressly finds, as a matter of fact, that there is a great need to establish a stable source of revenue to finance vital municipal services in order to promote the public peace, health, safety and welfare, of the citizens of Gentry, as well as compliance with sales tax election statutes and timing, and for these factual reasons, an emergency exists and this Ordinance should be in full force and effect immediately upon its date of passage.

PASSED AND APPROVED THIS 6 day of August, 2018.

ATTEST:


Jayne Kooistra, City Clerk


Kevin D. Johnston, Mayor

ORDINANCE NO. 18-782

AN ORDINANCE CALLING A SPECIAL ELECTION ON THE QUESTION OF AN ADDITIONAL SEVEN EIGHTHS OF ONE PERCENT CITY SALES AND USE TAX WITHIN THE CITY OF GENTRY, ARKANSAS; PRESCRIBING OTHER MATTERS RELATED THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Gentry has passed on the 6 day of August, 2018, Ordinance No. 18-781, providing for the levy of an additional Seven-Eighths of one percent temporary 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 Gentry, Arkansas;

Section 1: That there be, and there is hereby called, a special election to be held on November 6, 2018, at which election there shall be submitted to the electors of the City of Gentry, Arkansas, the question of the levy of an additional 7/8 of One Percent (.0875%) Sales and Use Tax.

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

AFOR adoption of the Ordinance 18-781 Additional .0875% Sales Tax"

AAGAINST adoption of the Ordinance 18-781 Additional .0875% Sales Tax"

Section 3: That 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 and only qualified voters of the City shall have the right to vote at the election.

Section 4: That the results of the election shall be proclaimed by the Mayor, and his 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 30 days after the date of publication.

Section 5: That a copy of this Ordinance shall be given to the Benton 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: That the Mayor and the City Clerk for and on behalf of the City, are 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 in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary in a timely fashion to carry out the authority conferred by this Ordinance.

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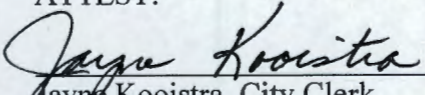
TENNESSEE
CO. & PROBATE CLERK
BENTON COUNTY, ARK

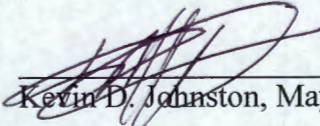
Section 7: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 8: Emergency Clause. The City Council expressly finds, as a matter of fact, that there is a great need to establish a stable source of revenue to finance vital municipal services in order to promote the public peace, health, safety and welfare, of the citizens of Gentry, as well as compliance with sales tax election statutes and timing, and for these factual reasons, an emergency exists and this Ordinance should be in full force and effect immediately upon its date of passage and posting.

PASSED AND APPROVED THIS 6 day of August, 2018.

ATTEST:


Jayne Kooistra, City Clerk


Kevin D. Johnston, Mayor

2018-2897