

ORDINANCE NO. OR-796

AN ORDINANCE AMENDING CHAPTER 2 OF MONTICELLO MUNICIPAL CODE, CONCERNING ADMINISTRATION; AMENDING CHAPTER 9.7 OF MONTICELLO MUNICIPAL CODE, CONCERNING ELECTIONS; TO COMPLY WITH CHANGES MADE TO PRIMARIES ELECTIONS BY ACT 4 OF THE FIRST EXTRAORDINARY SESSION OF 2015.

WHEREAS, on May 20, 2015 Governor Asa Hutchinson called an extraordinary session of the Arkansas General Assembly to discuss several issues including "amending Arkansas law to move the preferential and general primary elections dates to March, and to change corresponding filing dates;" and

WHEREAS, May 29, 2015 the Arkansas General Assembly passed Senate Bill 8 which Governor Hutchinson signed into law on the same as Act 4 of the First Extraordinary Session of 2015; and

WHEREAS, now it is crucial for the City Council of the Monticello, Arkansas to amend related Municipal Code concerning election procedure, namely § 2-54 and Chapter 9.7; referencing Ordinances 414, 632, and 642.

NOW THEREFOR BE IT ORDAINED, by the City Council of the Monticello, Arkansas, that Chapter 2 of Monticello Municipal Code, concerning administration, is amended to reads as follows:

**"Sec. 2-54. Elected officers, enumerated.**

The officers of the city to be elected by the qualified electors of the city shall be:

(1) A mayor; elected by the vote of all qualified electors of the city voting in the election for a term of four (4) years and shall reside in city limits.

(2) A city clerk-treasurer; elected by the vote of all qualified electors of the city voting in the election for a term of four (4) years and shall reside in city limits.

(3) A city attorney; elected by the vote of all qualified electors of the city voting in the election for a term of four (4) years and shall reside in city limits.

(4) Two (2) aldermen from each ward of the city, as established in § 9.7-1; each of whom shall, at the time the person is nominated for election to the office of alderman and on account of which the same is to be elected, reside in the ward for which the person is a candidate, and shall be elected by the vote of all qualified electors of the ward which the person is a candidates voting in the election for a term of two (2) years."

BE IT ALSO ORDAINED, by the City Council of the Monticello, Arkansas, that Chapter 9.7 of Monticello Municipal Code, concerning elections, is amended to reads as follows:

**"Sec. 9.7-1. Establishing Wards.**

(a) The City of Monticello, Arkansas shall be divided into four (4) wards of substantially equal population in order that each alderman elected from each ward shall represent substantially the same number of people in the city. Provided, however, that unless in the future the U.S. Census Bureau reveals otherwise, the now-existing four (4) wards of the city shall be deemed to contain sustainably equal population and there shall be no change of present ward boundaries.

(b) The boundaries of said wards are herein described, as established by ordinance; and shall be drawn on a map bearing the title "The Official Map of Ward Boundaries of the City of Monticello, Arkansas, January 2011." A copy of

the said map shall be placed on file with the Drew County Clerk and the City Clerk for public inspection.

(1) *Ward 1.* Beginning at the intersection of the private drive, that extends north from North Chester Street near the intersection of North Chester Street and Allen Drive, and the Corporate Limits; thence easterly along the Corporate Limits to the centerline of Florence Road; thence southerly along the Corporate Limits to its intersection with centerline of Arkansas Highway 35 East; thence northerly along the Corporate Limits to the center point of the Northwest fourth of the Northeast fourth of Section 36 of the Township 12, Range 7; thence westerly to the centerline of East Shelton Street; thence northerly along the centerline of East Shelton Street to its intersection with East Jackson Street; thence westerly along the centerline of East Jackson Street to its intersection with South Mill Street; thence northerly along the centerline of South Mill Street to its intersection with East Shelton Street; thence westerly along the centerline of East Shelton Street to its intersection with South Conley Street; thence northerly along the centerline of South Conley Street to its intersection the Railroad; thence westerly along the Railroad to its intersection with North Gabbert Street; thence northerly along the centerline of North Gabbert Street to its intersection with East Jefferson Street; thence westerly along the centerline of East Jefferson Street to its interstation with North Main Street; thence northerly along the centerline of North Main Street to its intersection with Erwin Street; thence westerly along the centerline of Erwin Street to its intersection with North Chester Street; thence northerly along the centerline of North Chester Street to the beginning point.

(2) *Ward 2.* Beginning at the intersection of the private drive, that extends north from North Chester Street near the intersection of North Chester Street and Allen Drive, and the Corporate Limits; thence westerly along the Corporate Limits to a point 70 yards western of the eastern line of the Northwest fourth of the Southeast fourth of Section 28 of Township 12, Range 7; thence southerly along the Corporate Limits to the Railroad; thence easterly along the Railroad to its intersection with South Hyatt Street;

thence northerly along the centerline of South Hyatt Street continuing to North Hyatt Street to its intersection with West Jefferson Street; thence easterly along the centerline of West Jefferson Street continuing to East Jefferson Street to its intersection with North Main Street; thence northerly along the centerline of North Main Street to its intersection with Erwin Street; thence westerly along the centerline of Erwin Street to its intersection with North Chester Street; thence northerly along the centerline of North Chester Street to the beginning point.

(3) *Ward 3.* Beginning at the center point of the intersection of North Hyatt Street and West Jefferson Street; thence easterly along the centerline of West Jefferson Street continuing to East Jefferson Street to its intersection with North Gabbert Street; thence southerly along the centerline of North Gabbert Street to its intersection with the Railroad; thence easterly along the Railroad to its intersection with South Conley Street; thence southerly along the centerline South Conley Street to its intersection with East Shelton Street; thence easterly along the centerline East Shelton Street to its intersection with South Mill Street; thence southerly along the centerline South Mill Street to its intersection with East Jackson Street; thence easterly along the centerline East Jackson Street to its intersection with East Shelton Street; thence southerly along the centerline East Shelton Street to its intersection with the Corporate Limits; thence southerly along the Corporate Limits to its intersection with Old Troy Road; thence westerly along the centerline of Old Troy Road to its intersection with Midway Route; thence northerly along the Corporate Limits to the centerline of South Gabbert Street; thence northerly along the centerline South Gabbert Street to its intersection with East College Street; thence westerly along the centerline East College Street to its intersection with South Edwards Street; thence northerly along the centerline the South Edwards to its intersection with East Jackson Street; thence westerly along the centerline of East Jackson Street continuing to West Jackson to its intersection with South Hyatt; thence northerly along the centerline of South Hyatt continuing to north Hyatt to the beginning point.

(4) *Ward 4*. Beginning at the center point of the intersection of South Hyatt Street and the Railroad; thence southerly along the centerline of South Hyatt Street to its intersection with West Jackson Street; thence easterly along the centerline of West Jackson Street continuing to East Jackson Street to the its intersection with South Edwards Street; thence southerly along the centerline of South Edwards Street to its intersection with East College Street; thence easterly along the centerline of East College Street to its intersection with South Gabbert Street; thence southerly along the centerline of South Gabbert Street to its intersection with the Corporate Limits; easterly along the Corporate Limits to its intersection with Old Warren Road; thence northerly along the Corporate Limits to its intersection with the Railroad; thence easterly along the Railroad to the beginning point.

**Sec. 9.7-2. Redistricting of wards**

If, being determined by the City Council that the U.S. Census Bureau reveals that the wards no longer substantially equal in population and the people can best be served by reapportioning said wards, the City Council may, by ordinance, adopt changes to ward boundaries, established in § 9.7-1, by adding wards, combining wards, or changing ward boundary lines to equalize the population in the various wards.

**Sec. 9.7-3. Conducting primaries for municipal office.**

(a) From time to time, no later than sixty (60) days before the preferential primary election filing period as defined by ACA § 7-7-203, the City Council may, by resolution, call the organized political parties of Drew County to host a political primary election to nominate candidates for municipal offices, as enumerated in § 2-54.

(b) Said candidates shall have seven (7) days to file for nomination in a preferential primary. Said filing period shall, as defined by ACA § 7-7-203, be open no earlier than noon on the first Monday of November before the general primary election to be held in the city; and no later than noon on the seventh day after.

(c) At the time of filing as a candidate for nomination in a preferential primary for a municipal office, as enumerated in § 2-54, said candidate must reside within the boundaries required for the respective municipal office as defined in § 2-54 and respective State Statute.

**Sec. 9.7-4. Petitions for independent candidates for municipal office.**

(a) Independent candidates for municipal offices, as enumerated in § 2-54, are hereinafter required to file petitions for nomination as independent candidates with the Drew County Clerk, as mandated by ACA § 14-42-206.

(b) Said candidates shall have seven (7) days to file petitions. Said filing period shall, by authorization of ACA § 14-41-206, be open no earlier than noon on the twentieth (20th) day before the preferential primary election to be held in the city; and no later than noon on the seventh day after.

(c) At the time of filing petitions for nomination as an independent candidate for a municipal office, as enumerated in § 2-54, said candidate must reside within the boundaries required for the respective municipal office as defined in § 2-54 and respective State Statute."

(End of Ordinance)

ADOPTED on this 25 day of August, 2015.

  
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Mayor

ATTEST:

  
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City Clerk