

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Jones**

A Bill

ACT 295 OF 1993
HOUSE BILL 1217

For An Act To Be Entitled

8 "AN ACT AMENDING AND CLARIFYING THE PROVISIONS OF THE
9 ARKANSAS CODE PERTAINING TO NOTICE OF THE ADOPTION OF
10 ORDINANCES AND THE CONDUCT OF HEARINGS ON THE ISSUANCE OF
11 WATERWORKS REVENUE BONDS; DECLARING AN EMERGENCY; AND
12 PRESCRIBING VARIOUS MATTERS RELATING THERETO; AND FOR
13 OTHER PURPOSES."

Subtitle

14
15 **"ADOPTION OF ORDINANCES AND THE CONDUCT OF**
16 **HEARINGS ON THE ISSUANCE OF WATERWORKS**
17 **REVENUE BONDS."**

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20 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

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22 **SECTION 1. Arkansas Code of 1987 Annotated § 14-234-206 is hereby repealed.**

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24 **SECTION 2. Arkansas Code of 1987 Annotated § 14-55-206 is hereby amended to**
25 **read as follows:**

26 **"14-55-206. Publishing or posting requirements.**

27 **(a)(1)(A) All bylaws or ordinances of a general or permanent nature and all those**
28 **imposing any fine, penalty, or forfeiture shall be published in some newspaper published in the**
29 **municipality.**

30 **(B) In municipalities in which no newspaper is published, written or *printed notice posted***
31 ***in five (5) of the most public places designated by the governing body in an ordinance or***
32 ***minutes of the governing body shall be deemed a sufficient publication of any law or ordinance.***

33 **(2) It shall be deemed a sufficient defense to any suit or prosecution of such fine,**
34 **penalty, or forfeiture to show that no notice was given as provided herein.**

35 **(b) As to ordinances establishing rules and regulations for zoning, construction of**
36 **buildings, the installation of plumbing, the installation of electric wiring, or other similar**

1 work, where such rules and regulations have been printed as a code in book form, the code or
2 provisions thereof may be published by the municipality by reference to title of the code
3 without further publication or posting thereof. However, not less than three (3) copies of the
4 code shall be filed for use and examination by the public in the office of the clerk or recorder of
5 the municipality subsequent to the adoption thereof."
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7 **SECTION 3.** All provisions of this act of a general and permanent nature are
8 amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision
9 Commission shall incorporate the same in the Code.
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11 **SECTION 4.** If any provision of this act or the application thereof to any person or
12 circumstance is held invalid, such invalidity shall not affect other provisions or applications of
13 the act which can be given effect without the invalid provision or application, and to this end
14 the provisions of this act are declared to be severable.
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16 **SECTION 5.** All laws and parts of laws in conflict with this act are hereby repealed.
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18 **SECTION 6. EMERGENCY.** It is hereby found and determined by the General
19 Assembly that the laws of the state of Arkansas pertaining to notice of the adoption of
20 ordinances by municipalities are, in some cases, inconsistent, conflicting and confusing; that,
21 following the adoption, in 1987, of Title 19, Chapter 9, Subchapter 6 of the Arkansas Code of
22 1987 Annotated (requiring published notice and public hearing prior to the adoption of
23 ordinances authorizing revenue bonds), prior laws requiring similar notice with respect to
24 municipal waterworks revenue bonds are redundant; and that it is essential that there be no
25 confusion regarding the conduct of governmental proceedings by Arkansas municipalities.
26 Therefore an emergency is hereby declared to exist and this act being necessary for the
27 preservation of the public peace, health and safety shall be in full force and effect from and
28 after its passage and approval.
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/s/Myra Jones

APPROVED: 03/01/93

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