

ORDINANCE NO. 0-81- 37

AN ORDINANCE AMENDING SECTION 5.08.06 OF THE CONWAY MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

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

SECTION 1. That Section 5.08.06 of the Conway Municipal Code is hereby amended to read as follows:

"The lien herein provided for may be enforced at any time within eighteen (18) months after such work, acts, deeds and things have been done and performed by proper action filed in the Chancery Court of Faulkner County, Arkansas, or the amount of the lien herein provided for may be determined at a hearing before the Conway City Council held after thirty (30) days written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then only after publication of notice of such hearing in a newspaper having a bona fide circulation in Faulkner County for one (1) insertion per week for four (4) consecutive weeks; the determination of said City Council being subject to appeal by the property owner in the Chancery Court; and the amount determined at said hearing, plus five percent (5%) penalty for collection, shall be by the City Council certified to the tax collector of Faulkner County and by him placed on the tax books as delinquent taxes, and collected accordingly, and the amount, less three percent (3%) thereof, when so collected shall be paid to the City of Conway by the Faulkner County Tax Collector."

SECTION 2. The Mayor and City Clerk are hereby authorized and directed to enter into an agreement with the County Tax Collector to implement the lien created by this ordinance and take other steps necessary to effectuate these provisions.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 4. That there is hereby found and declared to be an immediate need for regulation in this area in order to protect the public health, safety, and welfare. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of the public peace, health and safety shall be in force and effect immediately upon and after its passage.

PASSED: July 14, 1981

ATTEST:

Adrian Dunn  
City Clerk

APPROVED:

Bill Wrought  
Mayor

AGREEMENT

The following is an Agreement between City of Conway and Faulkner County under the provisions of Act 52 of 1979. The purpose of said Agreement is to outline the procedure for carrying out the intent of Act 339 of 1979.

1. To enable the Tax Collector to perform the requirements of Act 339 of 1979, the City agrees to perform the following:

A. To provide a form in triplicate to the County Tax Collector which lists the property owner, property description, correspondence school district, parcel number and total to be collected, and accrual date of the City Council. Said form shall have a cover listing with the above information; to provide said form between the tenth and fifteenth of each month. It is to be provided that no form shall be delivered to the county in the months of January, February and March of each year.

2. It is understood that once the above mentioned form has been turned over to the county, the payment required must be made to the County Tax Collector.

3. County Tax Collectors are to collect the taxes under Act 339 of 1979, and the county shall pay the city funds collected less the 3 percent for cost of collection in the same manner of distribution for other delinquent collections.

4. Any changes in this Agreement must be mutually agreed upon before they are binding to either party.

ATTEST:

\_\_\_\_\_  
City Clerk

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Mayor