

ORDINANCE 2006-20

AN ORDINANCE AMENDING ORDINANCE NO. 1991-5 TO ESTABLISH NEW REQUIREMENTS FOR THE ADVERTISING AND PROMOTION COMMISSION MEMBERS AND AMENDING ORDINANCE NO. 2004-10 TO PROVIDE FOR CRIMINAL PENALTIES OMITTED, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, A.C.A. 26-75-605 provides for the establishment of a seven (7) member commission for the promotion of Advertising and Tourism within a municipality and the levying of a tax therefor, and that City Ordinance 1991-5 should be brought in line with said law, and

WHEREAS, City Ordinance 2004-10 sought to amend Ordinance 1991-5 and provide for a criminal penalty for wilful failure to comply with said ordinance but failed to create the penalty by assessing fines and costs for same;

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

SECTION 1: Ordinance 1991-5, Section 5 (a) is hereby amended as follows:

The City of Ozark Advertising and Tourism Promotion Commission shall be composed of seven (7) members, as follows:

1. Four members shall be owners or managers of business in the tourism industry, and the owner or manager shall reside in the levying municipality or outside the municipality but within the county in which the municipality is located.
2. At least three (3) of these members shall be owners or managers of hotels, motels, or restaurants and shall serve for staggered terms of four (4) years;
3. Two (2) members of the commission shall be members of the governing body of the municipality (City Council) and selected by the governing body, and shall serve at the will of the governing body; and
4. One member shall be from the public at large who shall reside within the levying municipality and shall serve for a term of four (4) years.
5. In the event of a vacancy occurring on said Commission, said vacancy shall be filled by the Mayor, subject to the approval of the Ozark City Council. Each Commissioner shall file the oath required by law in the State of Arkansas of public officials. Each Commissioner shall furnish to the City of Ozark a five thousand dollars (\$5,000.00) surety bond that will serve to insure the City against misappropriation or mishandling of funds. The surety on said bonds shall be a reputable surety corporation. The premium of said bond shall be paid for the City of Ozark Advertising and Tourism Promotion Fund.


SECTION 2: Ordinance No. 2004-10 is hereby amended to include the following provisions:

A. ENFORCEMENT AND COLLECTION

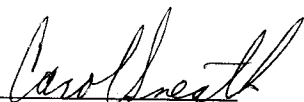
1. Any person, organization, firm, group or party failing to comply with this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars (\$50.00) nor more than five hundred (\$500.00), together with costs of the proceeding. Each day said wilful failure to comply continues shall constitute a separate offense and may be prosecuted accordingly.

SECTION 3: It being necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Ozark this Ordinance shall be in full force and effect immediately upon its passage.

PASSED AND APPROVED THIS 13th **DAY OF NOVEMBER, 2006**



Mayor, C.L. "Bat" Coley,

Attest: 

City Clerk, Carol Sneath