

ORDINANCE 2015-26

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEARCY, ARKANSAS; AMENDING SECTION 10-8 OF THE SEARCY CODE OF ORDINANCES; PROSCRIBING MATTERS RELATED TO NON-PARTISAN ELECTIONS OF MUNICIPAL OFFICIALS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

The City Council of the City of Searcy, Arkansas, meeting in regular session, makes the following findings of fact and enacts the following provisions:

WHEREAS, the Searcy City Council recognizes that recent changes in the Arkansas primary election system necessitated a review of the ordinances associated with the election of non-partisan municipal candidates; and

WHEREAS, the Searcy City Council has adopted a resolution directing that municipal elections be held on a non-partisan basis; and

WHEREAS, the Searcy City Council wishes to adopt modifications related to the non-partisan election of municipal officials in order to comply with Arkansas law; and

WHEREAS, the need to address these matters concerning the election of municipal candidates prior to the relevant filing periods for these candidates creates an emergency necessitating the immediate adoption and enforcement of this Ordinance.

NOW, THEREFORE, the Searcy City Council adopts the following amendment to the Code of Ordinances:

Section 1. Section 10-8 of The Code of Ordinances of the City of Searcy, Arkansas, is amended to read as follows:

“Sec. 10-8. Non-Partisan Candidates for Municipal Offices.

10-8-1.Petitions for Nomination. Non-partisan candidates for any municipal office shall comply with the provisions regarding nominating petitions as may be set forth in Ark. Code Ann. § 14-42-206, as may be amended from time to time. These nominating petitions shall be submitted for filing to the White County Clerk for verification pursuant to Arkansas law.

10-8-2.Single Position. When a candidate for any office for the City of Searcy has identified the position sought, the candidate shall not be allowed to change the position but may withdraw from this candidacy and file a new notice or petition, as may then be required by Arkansas law, designating a different position if this notice or petition is received prior to the deadline for filing.

10-8-3.Deadline for Filing Nominating Petitions. Nominations for non-partisan candidates for any office or other elected position in and for the City of Searcy, Arkansas, shall be submitted as and where required by Arkansas law as may be in effect at the time of filing, no earlier than twenty (20) days prior to the preferential primary election as may be established by the State of Arkansas, and not later than 12:00 noon on the day before the preferential primary election.”

Section 2. The provisions of this ordinance are separable and, upon any finding that any provision of this ordinance is unenforceable, the remaining provisions shall be enforceable according to their terms.

Section 3. All ordinances, resolution or other acts of the City in conflict with the terms hereof are repealed to the extent of any such conflict.

Emergency Clause. The Searcy City Council has determined that an emergency exists and that the immediate adoption and enforcement of this ordinance being necessary for the public peace, health, safety and welfare, the provision hereof shall be in full force and effect from and after its passage.

Adopted this 8<sup>th</sup> day of September, 2015.

The City of Searcy, Arkansas

By: /s/ David Morris  
Mayor

Attest:

/s/ Jerry Morris  
Searcy City Clerk-Treasurer