**ORDINANCE 2016-04**

**AN ORDINANCE TO ESTABLISH PROCEDURES FOR THE DEPOSITING AND DISPERSING OF CITY FUNDS, AND TO REPEAL ORDINANCE 99-10, ORDINANCE 2000-11, ORDINANCE 2002-03, ORDINANCE 2004-13, AND ORDINANCE 2009-02, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Mulberry wishes to set proper procedures for the disposition of City funds, and

WHEREAS, the City Council wishes to designate those persons authorized to make transaction of City funds, and

WHEREAS, it is necessary to pay operational expenditures and salaries to provide routine and continuous police and fire protection as well as maintain other City services.

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

SECTION 1. That the duly elected or appointed Mayor and/ or the duly elected or appointed Recorder-Treasurer are hereby granted the authority to determine the depository or depositories to be used by the City of Mulberry: and are hereby authorized to open an account or accounts with said depository on such terms or conditions as they may deem proper; and that said depository is authorized to accept for deposit or collection any draft or check or other instrument bearing the endorsement of the City, whether stamped, written or otherwise, and with or without the designation of the person making such endorsement.

SECTION 2. That any and all funds of the City in any such account or accounts may be withdrawn by check, draft, order or other instrument when signed in the name of the City of Mulberry by bearing two signatures as designated as follows:

a. Duly elected or appointed Mayor
b. Duly elected appointed Recorder-Treasurer
c. No other person shall be designated to withdraw City Funds as prescribed above unless otherwise designated in the following section or sections of this ordinance.

SECTION 3. That a third party be designated to withdraw City Funds in accordance with the afore said provisions of this ordinance and that the additional person designated will do so only under the following circumstances:

a. Planned extended absence of the Mayor or Recorder-Treasurer
b. Emergency situation where the Mayor or Recorder-Treasurer cannot be contacted after attempts by use of all reasonable means of communications

c. That the expenditures are routine in nature and have been previously approved by the Mayor or designated in the City Budget
d. Death of the Mayor or Recorder-Treasurer
e. Prior to the filling of any vacancy of the office of Mayor or Recorder-Treasurer due to removal, resignation or incapacitating illness

SECTION 4. That a City Council Member be designated by Resolution as the afore said third party in conjunction with the provisions of Section Three (3) of this ordinance and that their authority under this ordinance shall be in force so long as they hold the position of Alderman unless otherwise revoked.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. If any provision of this ordinance is held invalid or unconstitutional, it shall be deemed separable and severable and the remaining provisions shall remain in full force and effect.

SECTION 7. It is hereby determined by the City of Mulberry that in order to maintain routine and continuous operations of the City, emergency and other services, and to provide prompt payment of outstanding debts that this ordinance is of utmost necessity. Therefore, an emergency is declared to exist and this ordinance being for the preservation of the public health and safety shall take effect and be in full force from the date of its passage and approval.

PASSED AND APPROVED THIS 20TH DAY OF DECEMBER, 2016.

APPROVED: _____
Gary D. Baxter, Mayor

ATTEST: _____
Jerry Dickerson, Recorder-Treasurer