ORDINANCE NO. 78

AN ORDINANCE TO RAISE THE INCORPORATED TOWN OF MULBERRY, ARKANSAS, TO A CITY OF THE SECOND CLASS; TO PROVIDE FOR A SPECIAL ELECTION TO VOTE ON SAID ORDINANCE AND EMERGENCY CLAUSE THERETO AND FOR OTHERPURPOSES:

WHEREAS, the town of Mulberry, Arkansas, is now handicapped by not being a City of the Second Class, and desiring to make some much needed civic improvements to preserve and safeguard the health of its citizens, and desiring to become a City of the Second Class:

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE INCORPORATED TOWN OF MULBERRY, ARKANSAS:

SECTION 1: That in compliance with, and subject to, the Provisions of Act No. 211 of the General Assembly of the State of Arkansas for the year 1939, the Incorporated Town of Mulberry, Arkansas, shall hereby be raised to a City of the Second Class, and as such shall enjoy all of the rights and privileges, and exercise all of the powers of a City of the Second Class, from and after the adoption of the provisions of this Ordinance by the qualified electors of the Incorporated Town of Mulberry, Arkansas, in a special Election to be called for that purpose.

SECTION 2: That the Mayor of the Incorporated Town of Mulberry, Arkansas, shall call a Special Election to be held in said Town on the 6th day of November, 1945, for the purpose of submitting to the qualified electors of said town the question of whether they are in favor of, or opposed to, the Ordinance. That said Special Election shall be held in accordance with the Provisions of the Law governing Elections in the Municipal Corporation.

SECTION 3: The Mayor is hereby directed to publish this Ordinance two times in a newspaper published in Crawford County, Arkansas, and having a general and bona-fide circulation in the Incorporated Town of Mulberry, Arkansas, and to post in three of the most public places in said Incorporated Town for a period of 20 days, copies of the Notice of Special Election herein called.

SECTION 4: If a majority of the qualified electors vote in said election in favor of the Ordinance, the Mayor and Recorder are hereby directed to file a certified copy of the Ordinance with the Secretary of State for the State of Arkansas to the end that the Incorporated Town of Mulberry, Arkansas, shall become a City of the Second Class.

SECTION 5: It is hereby ascertained that for the lack of an adequate sewer and sewage disposal plant that the sanitary conditions in the Incorporated Town of Mulberry, Arkansas, endangers the health of its citizens, and that in order to correct this condition that it is necessary that the Incorporated Town of Mulberry, Arkansas, become a City of the Second Class, and that this Ordinance is necessary for the preservation of the public

peace, health, and safety and an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage, publication, and approval by the qualified electors of the Incorporated Town of Mulberry, Arkansas, at the Special Election herein called.

PASSED THIS 2nd DAY OF OCTOBER, 1945.

W. A. TATE - MAYOR

ATTEST:

T. J. HOUSE - RECORDER